Refugee Reports

A Project of the American Council for Nationalities Service
815 Fifteenth Street NW, Suite 610   Washington, DC 20005   (202) 667-0782

Volume VIII, Number 11   November 13, 1987

INS PROPOSES UNIFORM POLICY ON DETENTION AND RELEASE OF JUVENILES

On any given day, somewhere between 150 and 200 alien children are held in detention by the Immigration and Naturalization Service (INS). Most are processed quickly. Because children in INS detention represent a "rolling" population, the number who enter INS custody during the course of a year averages about 10,000. Mexican juveniles are most likely to opt for voluntary departure and leave almost immediately after apprehension; most others are deported or released within one or two weeks.

For a smaller percentage of these children, however, detention is not short term. Some have been held for as long as a year. Most have been from El Salvador, and smaller numbers from Guatemala and Nicaragua. Oftentimes these children remain in detention for extended periods of time because their undocumented parents in the United States are unwilling to come forward to claim them for fear that they too would then be subject to deportation.

Over the past several years, INS policies for handling this situation have varied considerably from region to region. The largest numbers held have been in California, where release policies have been the most restrictive. These policies have been subject to a great deal of criticism, including law suits.

Now, the INS has published proposed regulations that would establish a more uniform nationwide policy for the treatment of juveniles in exclusion and deportation proceedings.

The proposal, published in the October 15 Federal Register, defines "juveniles" as aliens under the age of 18; creates a new position of "Juvenile Coordinator" in the INS central office responsible for placing children "for whom detention is determined to be necessary" in appropriate juvenile facilities; introduces a procedure for cases where there are conflicts between the child and the parents; provides factors to consider in determining whether to release juveniles; and ranks in order of priority who should take custody of paroled children.

Paroled children, the regulations state, should be released by the INS in order of preference to:

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1) a parent, legal guardian, or adult relative not in INS detention;
2) an adult relative or legal guardian in INS detention, who would be released together with the child on a case-by-case basis;
3) a person designated by the parent or legal guardian in a sworn affidavit; or
4) in "unusual and compelling circumstances" another adult "who executes an agreement to care for the juvenile's well being and to ensure the juvenile's presence at all future proceedings before the INS or an immigration judge."

Regulations Fail to Address Key Issue, Critics Charge Although the proposal appears to be a direct INS response to litigation and other advocacy efforts, it still falls short of the reforms demanded by those working on behalf of children in INS detention.

At the heart of the issue for many critics has been the policy in the INS western region of releasing children only to their parents. Critics have charged that children have been held as "bait" to force undocumented parents to turn themselves in.

"The proposal doesn't resolve the issue about what to do if an undocumented parent wants the child released to another responsible adult," said Lynn Alvarez an attorney in the Immigrants' Rights Office of the Legal Aid Foundation of Los Angeles.

Richard Parkins, director of a project on detained children for International Social Services/American Branch (ISS/AB), said that "child welfare considerations should take precedence over enforcement considerations" and that release to an undocumented parent is often the only option and "the one most likely to serve the interests of the child."

Parkins suggested that an intermediary be used to "broker" the reunification of children and their undocumented parents.

Carlos Holguin of the National Center for Immigrant Rights, Inc. added that as a practical matter many parents can't afford to travel the distances required to pick up children from INS detention centers that are often in remote locations. He suggested that parents be permitted to designate another responsible adult before a notary public to pick up their children.

The INS, however, insists that the proposal adequately addresses these concerns. Mary Ruth Calhoun, INS juvenile detention specialist, said, "If the parents come forward, they will not be detained. It is not our intention to detain anyone."

Calhoun did say, however, that undocumented parents, although not detained, would be "put under docket control" making them subject to deportation. "We have to follow the law," she said. "No one wants to detain children. It's a no win, high liability situation. But every Service employee in the field has to follow the law."

Having been criticized for years for its failure to have a uniform national policy for the detention and release of alien minors, INS's proposed regulations are now being criticized by people in regions that had had more liberal release policies than the western region.

Ninfa Krueger, executive director of the Border Association for Refugees from Central America, said that before the new proposal was announced, children apprehended in the Rio Grande valley were not being taken into custody, but rather could sign I-270 forms giving them 30-day extended voluntary departure. During that month, she said, they were allowed to travel and could often contact lawyers to reverse the voluntary departure. Within the past two months, however, she said that all children are being detained and that about 40 have been transferred to holding facilities outside that INS sector.

"The effect now is to institutionalize detention," said Jonathan Moore of Proyecto Libertad in Harlingen, Texas. He reported that in mid-October, 13 undocumented children apprehended in the Rio Grande Valley were sent to the INS detention facility in Laredo. "This is a step in the wrong direction for us," he said.

Regulations Respond to Suit, Panel Recommendations The recently published proposed regulations come in the wake of litigation and other advocacy efforts for a more uniform policy regarding minors.

In 1985, the National Center for Immigrants' Rights, Inc., the National Center for Youth Law, and the ACLU Foundation of Southern California filed a class action suit, Flores v. Meese, challenging an INS practice of refusing to release juveniles on bail unless a parent or legal guardian

Five-year-old Carlos Alberto Aparicio was apprehended at the bottom of a canyon about one-mile north of the Mexican border in July 1986.

At the time, U.S. Border Patrol agent Alan Fliason, who held the Guatemalan boy in his lap, told the San Diego Union that he would not "prosecute" the parents if they came forward to claim their son, but that they would be identified and scheduled for deportation hearings if they were here illegally.

Photo by Union Tribune Publishing Co.

personally appeared to take custody of them (see Refugee Reports, Vol. V, Nos. 19 and 20). The suit termed the INS policy "a thinly veiled device to apprehend the [undocumented] parents of incarcerated juveniles and to punish children for allegedly having entered the United States without lawful authority."

The suit resulted from a policy announced by INS Western Regional Commissioner Harold W. Ezell on September 6, 1984, stating, "No minor shall be released except to a parent or legal guardian." While announced in the INS western region, the policy was not followed consistently in other regions.

Jenny Flores, a 15-year-old Salvadoran, was arrested by INS agents in 1985 and detained in Pasadena, California. She was charged with being deportable for entering the country illegally, but not charged with having committed any crime.

Although she was able to post bail, the INS refused to release Jenny to an adult other than her parent. Her mother, the suit said, refused to appear before INS agents to accept custody of Jenny because "she fears she will be taken into custody and deported to El Salvador, where a civil war currently exists."

Jenny remained in detention for two months, during which she shared sleeping quarters with 12 unrelated women, five of whom were adults. She was finally released on the order of a U.S. district judge to a "quasi-guardian."

The suit also challenged conditions in which Jenny and other children were being held, including:

- ° holding them with unrelated adults;
- ° failing to provide them with adequate educational and reading materials;
- ° denying them adequate recreation;
- ° denying them reasonable visitation with family and friends;
- ° subjecting them to strip or body cavity searches after meetings with their lawyers, appearances at hearings, and at other times.

Court Rules Alien Minors Have Due Process Rights In a related case, Perez-Funez v. District Director, INS, a U.S. district judge found that while the INS had not been shown to engage in overt coercion, the agency's detention of unaccompanied minors was inherently coercive" and certain of its policies unconstitutional.

U.S. District Judge Edward Rafeedie required the INS to inform unaccompanied alien children over the age of 14 from countries other than Mexico and Canada of their right to telephone a relative, friend, or a free legal services organization before being presented with the prehearing voluntary departure form.

Attorneys for the children alleged that the INS had been pressuring children to sign voluntary departure forms out of ignorance and fear. By signing these forms (I-274s), aliens waive the right to a deportation hearing and consent to summary removal from the United States. Those who choose this option are released quickly and have no negative record to hinder future legal admission to the United States.

The judge ruled that the children must be advised of their rights, including the right to claim political asylum, and required the INS to provide updated lists of free legal services agencies for the minors' benefit.

Research, Panel of Experts, Question Effects of Detention on Minors In a related development, the Refugee Policy Group (RPG) submitted a 73-page report to International Social Services/American Branch (ISS/AB) which draws attention to the problems faced by many alien minors under INS jurisdiction. The report was the focal point of a series of discussions involving a panel of experts in the field and representatives of the INS.

Based on those discussions, ISS/AB has recommended that children should be released from INS custody as soon as possible, and that minors whose undocumented parents are unwilling to come forward to claim them should be released to other responsible adults, perhaps through agreements with child welfare service providers.

ISS/AB recommended that "detention should be regarded as an exceptional situation and, when imposed, should involve as unrestricted an arrangement as possible, such as foster or licensed group home care."

The report, Minors in Immigration Proceedings: Problems of Child Welfare and Immigration Enforcement, discusses site visits to a variety of facilities holding minors in INS proceedings. "In some places, at some times," the report finds, "the absence of specific policies related to detention and release of minors has translated into a flexible, common sense approach that has worked to the benefit of the apprehended children. Miami and Houston are two cases. At other times, however, the results have been less desirable: lengthy stays of detention in prison-like facilities; separation of children from their parents; absence of adequate legal representation; and unwillingness on the part of either immigration officials or child welfare officials to take responsibility for undocumented youth."

Prison-Like Conditions in INS Contract Facilities The report was especially critical of conditions in INS contract facilities and juvenile detention centers. As of April 1986, 62 percent of all minors held by the INS were being detained in contract facilities.

No matter how sympathetic the staff in such facilities, the report said, they nevertheless represent prison-like environments. "For the sake of security, windows and doors are locked and guarded, visiting is limited, and detainees searched--or visitors prohibited. In all of the facilities detainees are punished for rule infractions, in various ways, usually by stays of up to 72 hours in solitary confinement."

The situation was found to be particularly troubling when alien children were placed in county juvenile corrections facilities. This usually occurs in areas with relatively few alien minor apprehensions. "Because they have not committed a crime," the report said, "the aliens are kept separately from the rest of the population in most facilities." The result, however, is that these children are often held in solitary confinement as a means of segregating them.

In the Alameda County Juvenile Hall in San Francisco, for example, the report found that "it is not unusual for there to be only one alien juvenile in the solitary section, who therefore has no peer companionship whatsoever and is without the recreational and educational benefits that the other juveniles enjoy." The report noted the case of one 15-year-old boy who, after being held in solitary confinement for 7 months, was finally allowed to join the other juvenile inmates in recreational activities.

Justice Department Funds New Shelter Facilities for Children In response to criticisms such as these, the Community Relations Service (CRS) of the Justice Department is in the process of signing several cooperative agreements with agencies to provide shelter care for minors apprehended by the INS.

According to guidelines set forth in the April 29 Federal Register, the shelters had to be run by licensed child welfare agencies cies and to meet or exceed "respective state guidelines and standards for similar services designed to serve children in their care and custody."

Among other requirements, agencies applying for the cooperative agreements were instructed to describe plans for education, recreation, visitation procedures, and legal and family reunification services. The Federal Register notice said that $1.5 million would be made available annually for these services. It called for shelters able to provide services for a minimum of 12-to-15 minors, but said, "The ability to provide services to a larger population of children is highly desirable."

Thus far, cooperative agreements have been signed to expand the Miami program, which has been in effect for Cuban and Haitian entrants, to include other alien children, and with Catholic Charities in Galveston/Houston, Texas.

CRS is close to implementing three more cooperative agreements in San Diego, Los Angeles, and Brownsville, Texas, and is working on another in Denver, Colorado.

The agreements currently being considered would represent places for about 100 youths. "The numbers are based on what appears to be the need," said Kenneth Leutbecker of CRS, "but we will have a better sense of the need as we go."

"CRS is making a bad situation somewhat better," said Marta Brenden, senior consultant on children in migration for Lutheran Immigration and Refugee Services, "but detention itself is inappropriate if these children are not juvenile delinquents." She added, "The criteria for these shelters sound like facilities for juvenile delinquents to me."

Enlisting private, nonprofit agencies in sheltering minors apprehended by the INS has the potential for raising other problems for the agencies themselves. While many of them are well suited to operating humane child welfare facilities, they are also expected to ensure that the minor will be presented when final orders of deportation are issued. Since most of the minors in this situation are Central American asylum seekers, collaboration with the INS is seen by many as a basic conflict with principles of protection against forced return of refugees.

In one case, Catholic Charities closed down an INS contract facility near Harlingen, Texas, because of community pressure, according to the RPG/ISS report. The report found, "People in the diocese expressed the view that an agency associated with the Catholic Church should not be facilitating deportation efforts of the INS while other Catholic groups participating in the sanctuary movement were engaged in civil disobedience against the INS."

Update

° On October 27, the Justice Department announced that it was withdrawing a proposed rule which would have eliminated the role of immigration judges in the asylum process. The move reportedly followed widespread opposition to the proposed change.

Under the current system, aliens in deportation or exclusion proceedings can raise asylum claims with immigration judges, who operate out of a Justice Department agency that is separate from the Immigration and Naturalization Service (INS). Two months ago, the Department of Justice proposed removing immigration judges from the process and creating a special team of asylum officers within INS to conduct "non-adversarial" hearings of asylum cases (see Refugee Reports, Vol. VIII, No. 9). Their decisions were to have been binding on immigration judges in deportation proceedings.

Objections to the proposal were voiced by a variety of advocacy groups, lawyers associations, and even a number of immigration judges. The changes, many argued, would deny due process to refugee applicants by leaving the final decision on an asylum case in the hands of an INS employee, the agency responsible for enforcement and deportations.

"The more we thought about it, the more we realized that the comments were not without merit," Roger Pilon, director of the newly created Asylum Policy and Review Unit in the Justice Department, told the Washington Post. He said that immigration judges would continue in their current role, but that the Justice Department was going ahead with plans to develop a special corps of INS asylum officers.

The Justice Department is expected to publish a revised proposal by the end of the month.

° As of November 2, the State Department's Bureau for Human Rights and Humanitarian Affairs (BHRHA) is no longer providing the INS with an advisory opinion for every asylum applicant. In an October 21 letter to the INS, Edward Wilkinson, the director of the BHRHA's office of asylum affairs, said that the step was being taken for budgetary reasons.

"Our goal," said the letter, "is to address only those cases where our input would provide information not routinely available to the District Director." In some cases, Wilkinson said, a "generic" letter would be written concerning human rights conditions in the applicant's home country. Others would receive no response at all. "I want to make clear," Wilkinson said, "that our failure to respond specifically to a particular application should not be taken to mean that we believe the case to be without merit."

It appears from the letter that individualized advisory opinions will be significantly fewer in number. "In a few cases, where we feel our input would be especially helpful, we will provide an individually prepared advisory opinion," the letter said.

° Nine Laotians who were denied refugee status in Thailand were returned to Laos on October 30, according to The Nation, a Bangkok-based, English-language newspaper. They are the first group of "screened-out" Laotians to be repatriated since Thailand instituted a border screening program in July 1985, designed to separate those with valid claims to refugee status from those without.

A State Department official told Refugee Reports that the Lao government had agreed to the return of the nine, and that the UN High Commissioner for Refugees (UNHCR) would be assisting in their readjustment as well as monitoring their status.

Since 1975, more than 2,400 lowland and highland Lao have been screened out as non-refugees by Thai immigration officials. About 1,500 have been detained at the Ban Nong Saeng detention center in the north-eastern province of Nakhon Phanom. The rest are at a number of smaller sites along the Thai-Laotian border.

Thai officials said that 15 names had been approved by the Lao government for return, but only nine of the people could be found at Ban Nong Saeng. The governor of Nakhon Phanom province said that the others might be living with relatives in Thailand or had returned to Laos on their own.

The State Department reports that in the first 22 months of the screening program, 8,374 arrivals have been seen by Thai officials and 5,593 accepted. The screened-in cases are transferred to UNHCR-assisted refugee camps where they can apply for resettlement in another country.

° The Thai government has given permission for the United States to begin resettlement interviewing of up to 7,100 Cambodian "ration card holders" in Khao I Dang, a State Department official told Refugee Reports. This group entered the camp illegally between August 1984 and October 1985, but was allowed by Thai authorities to register with the UNHCR in 1985. The registration conferred legal resident status on the RCs, giving them access to rations and other camp services. They were not permitted, initially, to be interviewed for resettlement.

Earlier this year, the State Department signalled Thailand that the United States was interested in interviewing RCs in processing priorities 1 to 5.

° A severe drought in Cambodia has significantly increased the number of arrivals at the Thai-Cambodian border in recent months, according to The Nation. In the first eight months of 1987, 3,178 Cambodian arrivals were issued rice ration tickets, the UN Border Relief Operation (UNBRO) reported. During the same period last year, 2,263 ration tickets were issued, and 1,517 in 1985. The busiest months were July and August when 1,170 new arrivals were counted.

An UNBRO official said that most of the new arrivals came to Site 2, a camp of 160,000 run by the Khmer People's National Liberation Front, and to Site B, home to 42,000 followers of Prince Norodom Sihanouk. Most of the arrivals are from the provinces of Battambang and Siem Reap in western Cambodia, the official said. There are 268,000 Cambodian "displaced persons" living in nine encampments along the Thai-Cambodian border.

° On November 5, Sen. Joseph R. Biden, Jr. (D-Del.) introduced a bill to implement the International Convention on the Prevention and Punishment of Genocide. The original convention was drafted by the United Nations at the end of World War II. Only last year, the Senate voted, 83 to 11, to approve ratification of the convention, subject to several provisions, one of which required that implementing legislation be drafted prior to ratification.

"This bill provides protection to members of any national, ethnic, racial, or religious group by creating a new Federal crime of genocide or attempted genocide for any person who attempts to destroy such a group--in whole or in part--through murder, serious bodily injury, mental or physical torture, prevention of members of the group from having children, or forcible removal of children from the control of any member of the group," Biden said. Any offense that resulted in death would be punishable by life imprisonment, a fine of no more than $1 million, or both.

A New York-based human rights group, the Cambodia Documentation Commission, began a campaign in April to try the Khmer Rouge for genocide before the International Court of Justice. The commission has estimated that the Khmer Rouge, who ruled Cambodia from 1975 to 1979, are responsible for the deaths of two to three million people. "Those who were primarily responsible for perpetrating those acts remain active in international and Cambodian life," said commission director, David Hawk. "This is an ongoing violation of the articles of the convention that require those who commit genocide to be punished."

Co-sponsors of the Senate bill, S. 1851, include Sens. William Proxmire (D-Wis.) and Howard Metzenbaum (D-Ohio). Identical legislation, H.R. 807, was introduced earlier this year in the House of Representatives by Rep. Peter Rodino, Jr. (D-N.J.).

° Correction: In our last issue, we incorrectly reported the dates for INS interviewing in the Sudan. The dates should have been October 27 to November 10.

Recent Developments

ORR PROPOSES REDUCED TIME FRAME FOR REFUGEE CASH AND MEDICAL ASSISTANCE

In a move to save an estimated $14 million and to provide newly arriving refugees with "stronger incentives" to gain employment as soon as possible, the federal Office of Refugee Resettlement (ORR) has published a proposed rule change to reduce the period of eligibility for special refugee cash and medical assistance programs from 18 to 12 months.

In 1982, ORR amended regulations to reduce federal coverage to 18 months for refugees who met financial criteria for cash and medical assistance but who did not meet AFDC (Aid to Families with Dependent Children) family-composition requirements or the SSI (Supplemental Security Income) age and disability requirements. These refugee-specific programs are called RCA, or refugee cash assistance, and RMA, refugee medical assistance. The new ORR proposed rule would further reduce that 18-month period to 12 months.

Under the current program, 31 months of federal reimbursement are available to states for the costs of cash and medical assistance provided to refugees who meet all of the AFDC or SSI eligibility criteria. This includes single-parent families, families in which both parents are unemployed, refugees who are 65 years of age or older, and those who are blind or disabled.

Fiscal reductions imposed last year by the Gramm-Rudman-Hollings budget control act brought the eligibility period down from 36 months.

The proposed regulation, published in the October 19 Federal Register (Vol. 52, No. 201), would still allow for federal reimbursement to states for assistance costs incurred from the 13th month to the 31st, but only if refugees are eligible for state or local general assistance (GA) programs. Such programs are usually quite limited in scope.

"GA is the worst form of assistance you can provide," said Andy Anh, director of the Economic and Employment Development Center in Los Angeles. "If you throw refugees into that kind of program you will discourage them forever." Anh objected to the proposed reduction, saying that "11 or 12 months is too short a time to get adjusted and to acquire job skills. That extra six months means a lot."

As of June 1987, there were 6,305 people receiving refugee cash assistance, according to Fred Schack, chief of the refugee support management bureau for the Office of Refugee Services in Sacramento. General assistance programs are county-run, said Schack, and benefit levels vary. But, on average, they are "about the same" as AFDC benefits. Job registration and participation requirements, however, are "stringent," he noted. Normally, payment checks must be picked up in person every week, and, in some counties, GA payments are considered loans which must be repaid by doing work for the county.

According to Schack, the rule change would reduce California's RCA caseload by one-third. Roughly ten percent of this group would end up in general assistance programs, he estimated.

In addition to achieving an estimated net savings of $14 million, ORR has argued that the reduction is needed to promote rapid self-sufficiency and "to reduce the degree of special treatment afforded to refugees, which results in unequal treatment among low-income populations."

ORR officials estimate that, as of December 1986, there were 27,221 RCA recipients nationwide.

Comments on the proposed rule are due by December 3 and should be addressed to Bill F. Gee, Director, Office of Refugee Resettlement, Department of Health and Human Services, Room 1229 Switzer Building, 330 C Street SW, Washington, DC 20201.

ORR Notes Slight Rise in Welfare Rates

In its report to Congress for FY 86, ORR noted that about 57.4 percent of refugees who had been in the United States 31 months or less were receiving some form of cash assistance at the end of FY 86. One year earlier, the figure was 55.5 percent but this was based on a period of 36 months. "The reason for the increase," the report said, "can be attributed largely to the reduction from 36 to 31 months and the corresponding calculation for dependency on a more recently arrived population."

Despite the slight overall increase in cash assistance rates, seven of the 18 states with the largest populations of Southeast Asian refugees (10,000 or more) showed declining rates, according to the ORR report.

State	Percentage Point Drop in Dependency Rate
California	-3.2%
Kansas	-4.4%
Louisiana	-2.4%
Maryland	-2.3%
Massachusetts	-8.0%
Oregon	-13.7%
Pennsylvania	-5.6%

"One possible explanation for the dependency rate declines for Oregon and California," suggested the report, "is that both states have been operating demonstrations over the last year to reduce reliance on welfare and to encourage early employment." Cash assistance rates for FY 87 are not yet available.

JUSTICE, STATE DEPARTMENTS DIFFER ON SAFE HAVEN BILL

In an unusual development, the Justice Department and the State Department broke ranks with each other in an October 28 House refugee subcommittee hearing on a bill to authorize the granting of temporary safe haven.

State Department support for and Justice Department opposition to the same bill continues the conflict between the two agencies on the issue of safe haven. That conflict has been evident during the past year, including earlier flaps over whether or not to grant EVD for Salvadorans and Poles (see

Message from the Editor

Dear Friends,

All of us here at Refugee Reports thank you for your wonderful response to our reader survey--by far the best response we've ever had. You taught us much. We know more about who you are and what you expect from us. We have enjoyed your compliments, and are taking your comments and suggestions very seriously.

Some of you asked that we share some of our impressions from the survey with you. We learned that a third of our subscribers are associated with local or national voluntary agencies; another third are with local, state, or national government agencies; fourteen percent of you subscribe as individuals; the rest are smaller percentages of refugee mutual assistance associations, the media, libraries, and human rights organizations.

While most of you have a strong interest in Southeast Asian refugees, we learned that more than 80 percent approve of our expanded coverage of others from Central America, Africa, the Middle East, and South Asia.

In fact, your comments suggest you want more information in general--especially concerning refugee camp conditions, health and mental health topics, employment, U.S. asylum policies, and legislation. You asked for more current research, more "investigative reporting," more resources, and statistics. As needed, we have expanded our issues to twenty pages to meet this demand.

Your suggestions included supplying information on conferences well in advance. We agree, and ask that if you are planning a conference to let us know as early as possible. You ask for more graphics. Said one reader, "Seeing a picture or a chart can help me synthesize the information in a story more quickly. It stays with me longer." We'll work on that.

Nearly 85 percent of you said you preferred monthly rather than twice-monthly issues, and that adding a special first-class mail category was not necessary. Most said you had not had a problem with your subscription. We hope you will let us know about any problems you might encounter. Carolyn Moore, our distribution manager here in Washington, wants to ensure that our printing company in Nashville, Tennessee, is responding promptly to your subscription inquiries.

Finally, in one sense, we were pleased to learn that the average subscriber shares each issue of Refugee Reports with 10 other readers. It is heartening to know that each month we reach at least 20,000 people. Still, for many of you, this is the time to renew, and we'd ask you to consider whether multiple copies (at our rate of $20.00) might help you disseminate our information more quickly. Said one reader, "I like what you do, but by the time it gets around the office, it's a month old." Remember, each additional subscription means an extra copy of the U.S. Committee for Refugees World Refugee Survey and issue papers for your use.

You might also consider giving Refugee Reports as a gift to colleagues or individuals in your community who have offered their time to refugees, and would appreciate the information we provide. We think we're a bargain, and many of you told us you agree, saying you appreciate the low cover price.

On behalf of staff writers Bill Frelick and Court Robinson; Koula Papanicolas, our production manager; and distribution manager Carolyn Moore, thank you for sharing your ideas with us. Don't hesitate to write or call with others.

Sincerely,

Virginia Hamilton

Virginia Hamilton
Editor

Refugee Reports, Vol. VIII, No. 7).

While the State Department termed the bill, H.R. 2922, "a reasonable and effective means of dealing with a very important humanitarian issue," the Justice Department opposed it, saying that current administrative procedures can deal adequately with those in need of temporary safe haven, but that giving those procedures the force of law would create a "magnet effect" that would "encourage high levels of continuing illegal entry by people from Central America."

The bill, introduced by Rep. Romano L. Mazzoli, chairman of the House subcommittee on immigration, refugees, and international law, would authorize the Attorney General to grant extended voluntary departure (EVD)--a temporary safe haven--upon determining any of three conditions to exist in the foreign nationals' homeland:

- physical danger due to armed conflict;
- environmental disaster; or
- U.S. national interest, taking into account international, humanitarian, and immigration concerns.

Ambassador Richard Schifter, assistant secretary of state for human rights and humanitarian affairs, said that the bill would "fill the gap that exists in our current immigration laws between the treatment of immigrants on the one hand and refugees and those seeking asylum on the other."

Delia Combs, associate commissioner in the Immigration and Naturalization Service (INS) division of asylum and parole, said, however, that the "INS takes issue with the idea that there is a gap that needs to be filled."

Combs added that INS's experience with earlier nationality groups granted EVD suggested that aliens would not voluntarily return after the end of the temporary safe haven grant.

State Proposes Amendments to Ensure Temporary Duration of EVD Schifter qualified the State Department's support for the bill, recommending that it be amended to include provisions to ensure "that temporary safe haven remains temporary." Among the amendments proposed was the individual registration of safe-haven recipients; a limited time at the start of each safe-haven period for aliens to register with the INS; annual re-registration of safe haven recipients for the duration of the EVD designation; time-limited work permits; no possibility of permanent adjustment of status; consultations with Congress before any continuation of EVD; a short initial safe-haven period; and a limit (suggested at 36 months) on the total EVD period for any country.

Rep. Hamilton Fish, Jr. (R-N.Y.) observed that 5 of the 8 amendments suggested by the State Department were already included in the bill. Fish said, "I don't subscribe to the theory that the Attorney General would bow to pressure" if EVD was statutorily authorized, because "this bill still gives him sole discretion" to grant temporary safe haven.

Rep. Bruce A. Morrison (D-Conn.) asked Combs why the Justice Department thought it was preferable not to have a clearly understood, legal basis for the exercise of the Attorney General's discretion. "Why should this be left to an ad hoc procedure," he asked, "as opposed to codifying criteria?"

Combs answered that "creating statutory provisions for temporary safe haven" would "raise expectations" on the part of aliens from countries in turmoil that EVD would be frequently invoked. This, she argued, could result in increased numbers entering the United States "in the hopes that EVD determination will be made in the future."

Rep. Barney Frank (D-Mass.) discussed the impact of ad hoc determinations in foreign policy terms. He said, "We can say that giving EVD status is not meant to be a negative political statement about the government in question, but it raises an inevitable conflict" between the humanitarian impulse to identify a problem and the foreign policy concern not to embarrass an ally by publicly acknowledging its problem. Frank suggested that a more regularized basis for determining EVD would deflect this negative judgment, and that the current ad hoc approach carries greater political consequences.

Frank asked Schifter to clarify the status of Nicaraguan nationals in light of the Attorney General's announcement that Nicaraguans with a well-founded fear of persecution would not be deported (see Refugee Reports, Vol. VIII, Nos. 7 and 8). Schifter responded, "I read that statement by the Attorney General. Let me simply say I would be clearer if the INS would explain."

Combs said that the administration is

opposed to EVD for both Salvadorans and Nicaraguans and that "the Attorney General's directive on Nicaraguans applies to all nationalities."

Private Sector Experts Comment Doris Meissner, senior associate at the Carnegie Endowment for International Peace, testified that the basic flaw in the bill "inherent in the concept of safe haven itself" is the notion that the political crises creating the need for safe haven will be temporary. Meissner said that legislating a temporary safe haven is often unrealistic, because "political crises are often protracted," and normalcy often does not return in the short term.

Meissner suggested a means to allow safe haven recipients in the United States for 10 or 15 years to adjust their status. "After a certain time," she said, "it is more important to allow individuals to 'join up' and fully belong to the society than to maintain a legal principle that has become divorced from reality."

Arthur Helton, director of the Political Asylum Project of the Lawyers Committee for Human Rights, recommended that safe haven determinations be included in the annual refugee consultations between Congress and the administration in order to make refugee, asylum, and safe haven policy more comprehensive. He suggested that consultation with Congress would "narrow the near absolute discretion of the Attorney General" and "lead to less arbitrary results."

Dennis Gallagher, executive director of the Refugee Policy Group and co-author of Safe Haven: Policy Responses to Refugee-Like Situations (see Refugee Reports, Vol. VIII, No. 8), challenged the idea that safe haven should always be within the Attorney General's discretion. "We feel criteria and standards should be developed requiring that safe haven be granted when they are met," he said. Gallagher questioned whether the bill would bring about any improvement. "If this discretion is not reduced," he said, "if expectations are not spelled out regarding the kind of situations which would merit safe haven, then why is there any reason to believe that future situations will be handled better than those of the recent past?"

Roger Conner, executive director of the Federation for American Immigration Reform (FAIR), said, "There is nothing so permanent as a temporary resident." He argued that a temporary safe-haven program would have permanent immigration results and would act as a magnet for future illegal immigration.

Current Research

ORR PROGRAMS EVALUATED FOR HARD-TO-PLACE REFUGEES

The training and placement of refugees who have difficulty in finding jobs have become a central challenge to U.S. policymakers and service providers alike.

Their success in integrating refugees into American life is often gauged by the progress of the lowest denominator of the refugee population--the hard-to-place--refugees from large families, dependent on public assistance, and with especially low English and job skills.

Two studies made available by the Office of Refugee Resettlement (ORR) in the Department of Health and Human Services evaluate the success of federally funded programs for these difficult cases.

The first study, written by the Research Management Corporation, evaluates the effectiveness of the targeted assistance program in reaching this group. The program has provided funds to 44 counties with unusually large refugee populations and particularly high refugee use of public assistance.

Hard-To-Place Don't Fit Cost-Benefit Equation At the outset, the researchers found that very few of the targeted assistance programs were serving hard-to-place clients. They described a process of "creaming", whereby service providers or policymakers would determine it to be more efficient to expend limited resources on better qualified refugees with more chance of job placement. Spending less time, money, and effort on people with better skills would allow agencies to place and serve more clients. The competitive bidding process for contracts or subcontracts encourages this tendency, according to the report. The bottom-line of most contract awards is number of job placements and cost. Contracting agencies, the report notes, expect the most placements possible for a given cost.

Another reason the service delivery system neglects the hard-to-place, according to the evaluation, is a perception that ORR itself is not anxious to expend funds for training and placement of these refugees. "Statements that have appeared in ORR memoranda, in printed statements attributed to ORR officials at the central or regional levels, or in ORR officials' presentations at regional meetings which criticized early results and high costs have been interpreted by many state and country level personnel to mean that more placements for less cost are desired and to be promoted." The study found ORR's emphasis on maximizing direct employment services and minimizing social and other supportive services to discourage providers from helping the hard-to-place.

Those targeted assistance projects that were successful in placing these refugees usually had an explicit focus on them. The report said that a focused effort at the county or state level was essential to successfully serving them.

The researchers found that employment services were improved when a broad range of support services were available, as well. These included personal and family counseling, assistance with childcare and transportation, as well as translation, interpretation, and legal advocacy. "What is important is that the clients have easy and regular access to these services and not have to proceed through complex bureaucratic channels, the slightest of which will deter many refugee clients."

The study recommends that ORR promote flexibility in social services complementing employment services. According to ORR policy, only 15 percent of a local area's allocation can be spent for nonemployment-related services.

The study recommended, "Perhaps this 15 percent could be creatively manipulated at the state or county level, within the policy parameters, so that providers serving more hard-to-place clients can obtain more than 15 percent for the nonemployment-related services and allow the 85/15 ratio to still hold on average across all projects within that administrative jurisdiction."

Some of the problems--foremost among them the welfare system--appear to be beyond the power of ORR or any part of the refugee service delivery system to solve directly. The researchers found, "Those refugees on AFDC with large families are most often considered the hardest to place in jobs, for it is difficult for them to obtain a job that pays more than the welfare grant." They found that it is also more difficult to find jobs for the hard-to-place in states with more generous welfare policies.

The researchers found some service providers able to "take on" the welfare system by assisting clients to find alternative ways of replacing terminated or reduced welfare services that the clients still could not afford even with a job placement.

The study warns that projects focusing on the hard-to-place will have lower placement rates and higher costs per placement than other projects. This expectation, the report says, must be considered in planning project budgets, staffing, and targeted placement rates.

Discretionary Grants Projects for Hard-to-Place Encounter Difficulties Two ORR discretionary grant programs--Enhanced Skills Training (EST) and Multiple Wage Earner (MWE)--were intended to train and encourage hard-to-place refugees to enter the job market. The programs were based on a finding that refugee households with several wage earners are more likely to earn their way out of poverty than refugee families relying on a single wage earner.

The evaluation, conducted by Lewin and Associates, Berkeley Planning Associates, the Refugee Policy Group, and the American Institutes for Research, was generally critical of these projects. "Many of the discretionary projects," the report noted, "failed to recruit and/or enroll appropriate clients."

Eligible hard-to-place refugees were often not targeted at all. "At many EST projects," the evaluation noted, "eligibility criteria were defined so broadly that they included virtually any refugee who inquired about services.... At the other extreme, the MWE projects sometimes defined eligibility criteria so narrowly that unemployed wage earners were excluded from services, even though their employment was critical to household self-sufficiency."

The evaluation concluded that the objectives of these programs--to address specific skills deficits and to coordinate employment services--should be incorporated into the ongoing refugee service system, rather than through separately funded projects.

For copies of either Evaluation of ORR's Discretionary Grant Support for Enhanced Skills Training and Multiple Wage Earners or Evaluation of the Refugee Targeted Assistance Grants Program: Phase II, Final Report, contact Toyo Biddle at the Office of Refugee Resettlement, 330 C St. SW, Switzer Building, Room 1229, Washington, DC 20201.

Resources

REFUGEE VULNERABILITY IN MEXICO STUDIED

The absence of the term "refugee" in Mexican law, and Mexico's failure to ratify the 1951 convention and 1967 protocol relating to the status of refugees puts Central American asylum seekers in Mexico in a precarious position, according to a new study on the legal situation of refugees in that country.

"The massive presence of thousands of Central Americans in Mexico has overwhelmed Mexican law, which does not provide legal security for them," says Seeking Safe Ground: The Legal Situation of Central American Refugees in Mexico.

A grant of asylum in Mexico, the study finds, requires proof of actual persecution exclusively for political reasons. Thus, refugee protection is based on a "far narrower" definition than internationally accepted standards. In practice, the report finds, "asylum is almost never granted."

Central Americans have a particularly difficult time meeting the narrow refugee standard. "Many of them are fleeing because they fear persecution for a variety of reasons, including civil strife," the report notes. "Many cannot prove that persecution for political reasons alone has already occurred." For the overwhelming majority of Central American refugees, the authors say, applying for asylum in Mexico would be "an exercise in futility."

In addition, the book notes that statutory law gives the Mexican government wide discretion to expel aliens. Where it is deemed advisable, the report notes, foreigners, including those granted asylum, can be expelled with no legal process.

The study also looks at the lack of security for Central Americans in Mexico, particularly for those outside refugee camps, who are undocumented. It says that gaps in the law are exacerbated by the secrecy with which the government approaches refugee issues.

The authors explain that Mexican refugee policy cannot be viewed in isolation, but rather in the context of relations with Central America and the United States and their refugee policies.

Mexico has made it clear, the authors find, that it will not accept refugees deported from the United States who are rejected for U.S. asylum because they passed through Mexico on their way north. The authors also suggest that U.S. arguments for deporting refugees to Mexico are based on incorrect assumptions about the legal status of refugees in that country. "The argument that Mexico is an automatic safe haven or resettlement country for refugees who passed through on their way to the U.S. ignores both current policy and the degree to which that policy would tighten if Mexico's burden were increased."

The 82-page book, written by Joan Friedland and Jesus Rodriguez y Rodriguez, is jointly published by the Mexico-U.S. Law Institute of the University of San Diego Law School and the Legal Research Institute of the National Autonomous University of Mexico.

Seeking Safe Haven is available for $7.50, plus $1.25 for shipping. Send checks or money orders to the Mexico-U.S. Law Institute, University of San Diego Law School, Alcala Park, San Diego, CA 92110. (619) 260-4816.

WORLD REFUGEE SITUATION ASSESSED

An overview of the current world refugee landscape is provided by W.R. Smyser, former UN deputy high commissioner for refugees, in Refugees: Extended Exile.

Smyser draws on his experience at the UNHCR and as the former director of the State Department's Bureau for Refugee Programs in outlining the organizations, struc-

ISSUE PAPER
UNCERTAIN HARBORS
THE PLIGHT OF VIETNAMESE BOAT PEOPLE

U.S. COMMITTEE FOR REFUGEES
OCTOBER 1987

By now, Refugee Reports subscribers should have received a copy of the new U.S. Committee for Refugees issue paper, Uncertain Harbors: The Plight of Vietnamese Boat People. USCR is making multiple copies of the paper available to groups wishing to distribute it. Contributions to cover the costs of postage and handling are appreciated. To request copies, write or call USCR, 815 15th Street, NW, Suite 610, Washington, DC 20005 (202) 667-0782.

tures, and principles guiding international refugee protection and assistance, and in showing how the parts that make up refugee protection are interrelated and dependent on internationally balanced commitments.

He also examines major refugee populations, which he divides into "traditional refugees" and "jet people."

For the former, he examines options for voluntary repatriation, local integration (especially in Africa, where he recommends that settlements be properly integrated into local economies), and third-country resettlement. He recommends "the principle of camp clearance" for the long-staying refugees of Southeast Asia. Smyser says that "the remaining camp inhabitants that can be selected for resettlement [should be] duly apportioned among the interested participating countries and moved within a definite time period," as was done in Europe in 1959-1960.

He recommends announcing a screening process to deter a renewed refugee flow and making it clear that new arrivals will not be able to expect third country resettlement.

Western Restrictiveness Threatens Refugee Protection Worldwide Smyser observes that the "jet people," intercontinental asylum seekers, have presented a particular challenge to the industrialized democracies. He describes the growing restrictiveness of Western Europe to the new asylum seekers, but points out that no European countries are on the list of the 20 countries with the highest ratio of refugees per capita. He notes that it is the European countries, "those who are at the foundation of the international refugee structure, who are reacting with such intense concern to a flow of persons dwarfed by the number that may enter Sudan or Pakistan in a single season."

Smyser worries that European countries once granting asylum to fellow Europeans fleeing persecution are now closing their doors to more ethnically diverse groups. He warns, "If the concept of a global refugee protection and support structure is to retain any meaning, there can be no apartheid of asylum."

The impact of an eroding of commitment in Western Europe and North America threatens the entire global refugee structure, according to Smyser. He points out that the refusal to grant asylum to those who transit through third countries could result in countries at the frontline of refugee movements refusing to allow refugees to cross their borders even temporarily.

"If it is now accepted," Smyser writes, "as at least some European countries state, that any stop in any country or airport en route should be regarded as the equivalent of an asylum grant or at least as an opportunity to request asylum, it would make every refugee movement past the first stop 'irregular' and, by implication, improper travel." He concludes, "It would place an unbearably heavy human and political load on the states contiguous to any country suffering an exodus and could almost compel them to return refugees forcibly."

Refugees: Extended Exile is available for $9.95, plus $1.25 for postage and handling, from CSIS Books, Georgetown University, 1800 K St., NW, Suite 400, Washington, DC 20006. (202) 887-0200.

CONDEMNED TO A LIFETIME OF DETENTION?

"Refugees are treated as prisoners of war at Shelembod refugee camp," according to an Ethiopian refugee who spent several years in the camp in Somalia. Although the 360 refugees in Shelembod--mostly Amharas--are only a fraction of the several hundred thousand Ethiopian refugees that Somalia has taken in, they have not been granted the rights it accords other refugees. Those Amharas who arrived in Somalia between 1977 and 1982 were arrested and imprisoned. Later, they, many of the Amharas who followed, and other refugees whom the Somalia authorities considered a possible threat to the security of Somalia, were confined at Shelembod.

"The resentment which Somalis feel towards Amharas is deeply rooted in the history of the two peoples. Yet, these individual refugees...cannot be held accountable for the policies or actions of Ethiopia's past or present governments," says Detained in Exile: Ethiopians in Somalia's Shelembod Camp, an issue brief prepared by the U.S. Committee for Refugees. The report details the history of Shelembod camp and describes the problems of the refugees placed there.

The report also brings to light the imprisonment of as many as 2,800 Ethiopian civilians at Haway, a prison camp whose very existence the Somali authorities deny. Those imprisoned at Haway, including many women and children, are Amhara civilians captured by the Somalis during their 1977 invasion of the disputed Ogaden region of Ethiopia. International agencies have never been allowed to visit Haway.

The USCR report calls upon the government of Somalia to facilitate the resettlement to third countries of eligible refugees in Shelembod. It urges the Somali government to allow the ICRC and UNHCR access to Haway prison camp.

The report is available for $2.00 postage and handling from USCR, 815 15th Street, NW, Suite 610, Washington, DC 20005.

Statement of Ownership, Management & Circulation

[Required by 39 U.S. Code 3685]

1A. Title of Publication: Refugee Reports
1B. Publication No. 08843554
2. Date of filing: 10/1/86
3. Frequency of issue: Monthly
3A. No. of issues published annually: 12
3B. Annual subscription price: $28
4. Office of publication: 95 Madison Avenue, New York, New York 10016
5. Headquarters of general business office of publisher: 95 Madison Avenue, New York, New York 10016
6. Names & addresses of publisher, editor and managing editor: Publisher, American Council for Nationalities Service (ACNS), 95 Madison Avenue, New York, New York 10016;
   Editor: Virginia Hamilton (formerly James Silk), ACNS, 815 15th Street, N.W., Washington, D.C. 20005
   Managing Editor: None (formerly Virginia Hamilton)
7. Owner: Non-Profit Organization, American Council for Nationalities Service, 95 Madison Avenue, New York, New York 10016.
8. Known bondholders, mortgagees and other security holders, owning or holding one percent of total amount of bonds, mortgages or other securities: None.
9. Extent and nature of circulation:

		Avg # of copies each issue during preceding 12 months	Actual # of copies of single issue published nearest to filing date
A]	Total copies [net press run]	2,227	2,225
B]	Paid circulation		
	[sales through dealers, etc.]	0	0
	[mail subs.]	1,761	1,839
C]	Total paid circulation	1,761	1,839
D]	Free distribution by mail, carrier or other means, samples, etc.	109	109
E]	Total distribution [C&D]	1,870	1,948
F]	Copies not distributed:		
	[Office use]	357	277
	[return from news agents]	0	0
G]	TOTAL	2,227	2,225

10. I certify that the statements made by me above are correct and complete.

Wells C. Klein
Publisher

Cash Assistance Dependency Among Time-Eligible Refugees
September 30, 1986, and September 30, 1985

	Estimated 31-month Refugee Population as of:	Estimated 36-month Refugee Population as of:	Dependency Rates	
	9/30/86	9/30/85	9/30/86	9/30/85
Alabama	872	942	32.3%	27.0%
Alaska	0	0	0.0	0.0
Arizona	2,298	2,303	5.1	4.1
Arkansas	470	808	6.8	4.1
California	65,853a/	65,974	86.9	90.1
Colorado	2,078	2,316	32.6	27.5
Connecticut	2,018	2,519	24.1	20.7
Delaware	55	31	47.3	12.9
District of Col.	443	541	5.9	8.3
Florida	3,788	4,606	42.1	36.8
Georgia	2,899	3,388	24.0	23.1
Hawaii	747	839	60.4	71.0
Idaho	845	865	12.3	23.0
Illinois	7,343	8,415	39.0	34.3
Indiana	671	653	30.1	34.8
Iowa	1,767	1,888	29.5	25.7
Kansas	2,172	2,620	52.2	56.6
Kentucky	664	676	45.2	35.1
Louisiana	2,228	2,903	16.0	18.4
Maine	763	936	38.0	53.3
Maryland	3,127	3,450	30.0	32.3
Massachusetts	7,799	8,750	72.0	80.0
Michigan	2,681	3,474	43.2	36.4
Minnesota	4,854	5,082	73.3	68.2
Mississippi	306	401	34.0	26.4
Missouri	1,907	2,340	17.7	28.9
Montana	76	77	34.2	32.5
Nebraska	422	464	29.9	23.7
Nevada	727	900	22.8	15.7
New Hampshire	229	367	13.1	20.2
New Jersey	2,451	2,969	28.8	32.9
New Mexico	374	450	27.3	33.1
New York	12,522	16,201	38.0	32.4
North Carolina	1,478	1,778	9.4	11.0
North Dakota	369	420	18.4	23.8
Ohio	2,419	2,816	59.9	57.4
Oklahoma	1,823	1,854	12.8	12.4
Oregon	2,349	2,686	50.3	64.1
Pennsylvania	5,202	6,620	49.2	54.8
Rhode Island	1,659	1,600	50.9	52.4
South Carolina	237	390	19.8	15.4
South Dakota	294	371	7.8	8.9
Tennessee	1,875	1,860	23.7	26.6
Texas	12,198	14,654	19.5	14.6
Utah	1,770	1,939	29.5	34.0
Vermont	156	196	57.7	23.0
Virginia	5,295	6,354	32.9	28.0
Washington	7,378	7,986	80.3	69.4
West Virginia	60	66	35.0	13.6
Wisconsin	1,933	1,924	86.4	48.2
Wyoming	18	28	72.2	3.6
Guam	43	36	60.5	41.7
TOTAL U.S.	182,005	200,150	57.4%	55.5%

a/ California's estimated base population as of 9/30/86 is the sum of the estimated 36-month population of refugees eligible for California's Refugee Demonstration Project and the estimated 31-month population of other refugees. This blended estimate was necessary because the RDP caseload included people in the U.S. up to 36 months.

REFUGEE REPORTS is published monthly for $28.00 per year for one subscription, $20.00 each for two or more subscriptions to the same addressee, or $20.00 each for ten or more subscriptions requested at the same time, mailed to separate addresses, overseas postage, $24.00 additional; by ACNS, 95 Madison Avenue, Third Floor, New York, NY 10016. Application to mail at 2nd class postage rates is pending at New York and additional mailing offices. POSTMASTER: send address changes to *Refugee Reports,* Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204.

Editorial comments and inquiries should be sent to: *Refugee Reports,* 815 Fifteenth Street NW, Suite 610, Washington, DC 20005. All communications regarding subscriptions should be sent to: Refugee Reports Subscriptions, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204. (615) 377-3322.

Basic subscription rate for 12 issues per year: $28.00; Multiple-copy rate: $20.00; Single copies of back issues: $2.50.
Editor: Virginia Hamilton; Staff Writers: Bill Frelick, Court Robinson
Production Coordinator: Koula Papanicolas.
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Refugee Reports

A Project of the American Council
for Nationalities Service
Sunbelt Fulfillment Services
P.O. Box 41094
Nashville, TN 37204

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Volume VIII, Number 12

December 18, 1987

1987 STATISTICAL ISSUE

This is our special year-end statistical issue. In addition to tables and graphs on international and domestic refugee programs, the issue includes the index for Refugee Reports for Volume VIII, 1987. The first three pages are devoted to brief updates of refugee news.

° On December 11, the Senate Subcommittee on Immigration and Refugee Affairs heard testimony from government officials and expert witnesses on a draft bill proposed by Sen. Alan Simpson (R-Wyo.) that would revise legal immigration provisions and put immigration and refugee admissions under a single cap. The proposed legislation, titled the Legal Immigration Reform Act of 1987, would establish an annual U.S. migration ceiling of 565,000. Under this ceiling, 465,000 "family connection immigrants" could enter the United States each year, along with 100,000 "independent immigrants," who would be selected on the basis of job skills, educational background, and, in some cases, English language ability.

"Our legal immigration system doesn't serve the national interest as well as it could," Simpson said. "Its growth is inherent and unchecked." Additionally, "close to 90 percent of all legal immigrants arrive in this country through family reunification criteria. Nepotism is not sound public policy," he said.

The family connection immigrant ceiling would also include immediate relatives (defined in Simpson's bill as children and spouse of a U.S. citizen), refugees, and persons granted asylum. Under current law, these three groups fall outside the annual cap of 270,000 placed on legal immigration.

Presenting State Department testimony, Jerome Ogden, deputy assistant secretary for visa services in the Bureau of Consular Affairs, expressed concern about the linkage of refugee and immigration numbers, in that, "The United States admits refugees in accordance with our traditional humanitarian and foreign policy interests under statutory criteria which differ significantly from the criteria applied to other immigrant categories. It would be unfortunate to create a system which suggests in the public mind that there is in any sense a competition between our refugee policy objec-

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tives and the family reunification purposes of our national immigration policy."

In testimony before the Senate subcommittee, Immigration and Naturalization Service (INS) Commissioner Alan Nelson said, "We must be careful that any reduction in preference numbers which could result from increased refugee admissions does not create new pressures for illegal migration." INS supported "in principle the creation of two separate categories--one for family and one for independent immigrants," Nelson said. He added, however, that the proposed legislation did not address the problem of reducing or clearing the backlog of more than two million immigrant visa registrants, which has nearly doubled in the last six years.

Simpson's proposed overall cap on immigrant and refugee numbers "makes the point that immigration should be cut back," said Charles Keely, professor of international migration at Georgetown University. "Do we want to pit group against group over this cap? Are we about to pit Mexican Americans against Vietnamese Americans? Is legal immigration so out of control, are we so sure of the way to bring it to heel, that we are confident of what the price will be and are willing to pay it? I think not," he said.

Ogden testified that in FY 86, 218,000 immediate relatives entered the United States in addition to the 270,000 who entered under one of six immigration preference categories. The number of immediate relatives has grown by about seven percent each year since 1976, he said.

The Immigration and Nationality Act currently includes parents of adult U.S. citizens as immediate relatives, while Simpson's bill would move them to a preference category, where they would be subject to backlogs and waiting periods.

His proposed legislation would also eliminate from the preference system unmarried sons and daughters over 21 years of age of lawful permanent residents, married sons and daughters of U.S. citizens, and brothers and sisters of U.S. citizens.

In August, Sens. Edward M. Kennedy (D-Mass.) and Daniel P. Moynihan (D-N.Y.) introduced their own legislation to reform the legal immigration system. Their bill, the Immigration Act of 1987 (S. 1611) would raise the ceiling on numerically limited immigration from 270,000 to 320,000 per year, but immediate relatives of U.S. citizens would remain exempt from limitation.

The bill also separates family reunification preference categories from a new "independent" immigrant category based primarily on employment-related criteria. Rep. Brian Donnelly (D-Mass.) has introduced a parallel bill, H.R. 3143, in the House of Representatives.

° On November 16, Thai authorities caught 34 Hmong trying to enter Ban Vinai camp and sent the group back across the Mekong River into Laos where growing evidence suggests that some or all of them subsequently were killed, according to U.S. government sources.

Initial accounts of the pushback in the Thai press suggested that another pushback incident had taken place on November 20 with 16 deaths resulting, but that report is now assumed to be erroneous, a U.S. State Department official told Refugee Reports.

Statements from the Thai embassy in Washington, D.C. reiterated the government position that Hmong who engage the services of smuggling rings in order to bypass Thailand's screening program and enter refugee camps without inspection will be treated as illegal immigrants and therefore subject to deportation. "The Thai government finds itself unable to ensure their safety once they return to Laos but every effort is being made to see that they return at points which appear to be safe," the embassy statement said. "To the best of our ability, Thai authorities will be even more stringent in this regard in the future."

On December 2, the Thai National Security Council agreed that "all Hmong currently in Thailand will be admitted to screening," according to the Thai embassy statement. This includes about 8,000 to 10,000 "unregistered" Hmong in and around Ban Vinai, about 1,000 Hmong on the Thai-Lao border near Nam Pun, 154 detained at Pak Chom police station, and 37 at Nongkhai. They will be moved to the Chiang Kham refugee camp for screening, the statement said.

° On December 4, the Thai embassy announced two significant decisions affecting the security of more than 270,000 Cambodians camped on the Thai-Cambodian border. First, Thailand expects to move half the population of Site 2, which now houses about 160,000 Cambodians, to a new location by January 1988. Second, the embassy said, "The security protection system for all [border] camps, including Site 2, will be completely overhauled by the end of February 1988."

This security overhaul primarily will involve the replacement of Thai paramilitary ranger units with a special Displaced Persons Protection Unit (DPPU). The rangers have been widely criticized by relief agencies and human rights groups for their lack of training and discipline, as well as their involvement in frequent abuse and harassment of Cambodians in the camps. "DPPU personnel will be recruited from army reservists or those who have undergone three years of territorial guard training in school or universities," said the embassy statement. They will also receive training in guard duty, working with civilian populations, and the Khmer language. A total of 560 people will be deployed along the border, replacing the current ranger units.

The embassy report stated that "the DPPU will be responsible only for security around the perimeters of the camps. Security inside the camps will be the responsibility of civilian Khmer police units." The Khmer police will be unarmed except for batons, but they will carry radios in order to contact Thai security when needed.

The December statement from the Thai also said that "pressure for night presence of international observers should be held off for the time being," partly to give the new security arrangements time to work and partly because "a few international observers would probably not be able to undertake [security and protection] for such a large number of Khmers." One possibility being explored is to allow a private security team, Shield Asia, to work alongside officials with the UN Border Relief Operation "to assist the Khmers in developing better internal discipline and juridical structures, but not to be seen as overseers or monitors."

° Following an incident on November 25 at the Colomoncagua camp in Honduras, in which a group of angry refugees allegedly hurled stones at the car of the coordinator general of the National Commission for Refugees, the government of Honduras has written a letter to the UN High Commissioner for Refugees calling for the repatriation or resettlement in third countries of the entire camp population.

Neither Abraham Garcia Turcios, the coordinator general, nor his son, who was also in the car, was hurt.

Ramiro Figueroa, minister-counselor of the Honduran Embassy in Washington, D.C., told Refugee Reports that the incident arose from a dispute between the refugees and the Honduran authorities concerning an international presence in the camp. The government wanted to replace international officers of the UNHCR with Honduran nationals, which the refugees opposed, according to Figueroa.

° East German border guards have recently been ordered not to shoot upon civilians attempting to cross the Berlin Wall or the West German border, according to a December 9 report in the Washington Post.

The Post story was based on testimony of defecting frontier guards, and indirectly confirmed when the East German head of state, Erich Honecker, told John C. Whitehead, U.S. deputy Secretary of State, that an October 29 shooting incident at the Berlin Wall was "a mistake."

More than 175 persons have been shot and killed trying to cross out of East Germany since the Berlin Wall was built in 1961, according to the Post.

° An estimated 200,000 people calling for the Soviet Union to liberalize its emigration policies for Jews gathered in Washington December 6 on the eve of the Reagan-Gorbachev summit meeting. In a pre-summit move, the Soviet Union agreed to release at least six more Jewish refuseniks and their families, including several prominent scientists who had been awaiting exit visas for a decade, but who had previously been denied on the basis of having knowledge of state secrets. As of the end of November, 7,250 Jews have been permitted to exit the Soviet Union this year, a sharp increase over 1986, when only 914 were permitted to leave, but still less than at the height of Soviet Jewish emigration in 1979 when 51,320 left the country.

The summit also produced smaller, but no less spirited, demonstrations involving Afghan, Ukrainian, Ethiopian, and Vietnamese refugees.

REFUGEE PROCESSING PRIORITIES BY REGION, AS OF DECEMBER 1987

	P-1	P-2	P-3	P-4	P-5	P-6
AFRICA						
Africans in Sudan	X	X	X	X	X	
African Elsewhere in Africa	X	X	X	X	X	X
African in Europe	X	X	X	X	a/	b/
EAST ASIA						
Cambodians	X	X	X	X	X	c/
Highland Lao	X	X	X	X	X	
Lowland Lao	X	X	X	X	X	
Vietnamese	X	X	X	X	X	d/
EASTERN EUROPE/SOVIET UNION	X	X	X	X	X	X
NEAR EAST/SOUTH ASIA	X	X	X	X		
LATIN AMERICAN/CARIBBEAN						
Cubans	e/					
Non-Cubans	X	X	X	X	X	

NOTES

a/ P-5 processing is available only for those who registered with a voluntary agency or with the UN High Commissioner for Refugees (UNHCR) before November 19, 1987, or those fleeing from Eastern Europe.

b/ P-6 processing is available on a limited, highly selective basis.

c/ P-6 processing is currently available to "family card holders" in Khao I Dang, who entered the camp between 1982 and August 1984, but only to those with "category" claims. For Cambodians, this includes ethnic Chinese, Buddhist monks, and former government officials and members of the military prior to 1975.

d/ P-6 processing for Vietnamese is available only for a small number of land Vietnamese (refugees fleeing overland across Cambodia) in Thailand, who can establish "category" claims, showing they belong to groups that were subject to persecution in Vietnam. Current categories include Buddhist monks, Catholics, ethnic Chinese, Montagnards, and Chams (a Muslim ethnic minority).

e/ P-1 processing is available for current and former political prisoners in Cuba and their close family members.

DESCRIPTION OF U.S. REFUGEE PROCESSING PRIORITIES

PRIORITY ONE, COMPELLING CONCERN/INTEREST: Exceptional cases (a) of refugees in immediate danger of loss of life and for whom there appears to be no alternative to resettlement in the U.S., or (b) of refugees of compelling concern to the U.S., such as former or present political prisoners and dissidents.

PRIORITY TWO, FORMER U.S. GOVERNMENT EMPLOYEES: Refugees employed by the U.S.

government for at least one year prior to the claim for refugee status. This category also includes persons who were not official U.S. government employees, but who for at least one year were so integrated into U.S. government offices as to have been in effect and appearance U.S. government employees.

PRIORITY THREE, FAMILY REUNIFICATION: Refugees who are spouses, unmarried sons, unmarried daughters, or parents of persons in the U.S. (The status of the anchor relative in the U.S. must be one of the following: U.S. citizen, lawful permanent resident alien, refugee, or asylee.)

PRIORITY FOUR, OTHER TIES TO THE UNITED STATES:

FOR EASTERN EUROPE, LATIN AMERICA, AFRICA: (a) refugees employed by U.S. foundations, U.S. voluntary agencies, or U.S. business firms for at least one year prior to the claim for refugee status, and (b) refugees trained in the U.S. or abroad under U.S. auspices.

FOR EAST ASIA: (a) and (b) as above, plus (c) persons previously in the civil service or armed forces of the former governments of Indochina who were associated with U.S. government policies or U.S. government supported programs, (d) persons who played a meaningful role in the social, economic, political, religious, intellectual, or artistic life of the former societies of Indochina, including such persons as professors, philosophers, monks, or other transmitters of the cultural traditions of these societies.

FOR NEAR EAST/SOUTH ASIA: (a) and (b) as above, plus (c) refugees who have served in positions of leadership or played a conspicuous role within a religious denomination whose members are subjected to discrimination (such as Iranian Baha'is, Jews, Christians, and Zoroastrians), including the clergy, prominent laymen, those who have served in denominational assemblies, governing bodies, or councils; (d) refugees who have become targets of persecution because of a perceived identification with the U.S. or the other nations of the West (including Israel); (e) refugees who because of their religious affiliation have been deprived of employment, have been driven from their homes, have had their business confiscated or looted, have been denied educational opportunities available to others similarly situated, or have been denied pensions that would otherwise be available.

PRIORITY FIVE, ADDITIONAL FAMILY REUNIFICATION: Refugees who are married sons or married daughters, siblings, grandparents, or grandchildren of persons in the U.S., or other more distantly related individuals who are part of the family group and dependent on the family for support.

FOR EAST ASIA, add the following: (a) persons who have not yet reached their eighteenth birthday and who have relatives in the U.S. and no closer relatives in another country outside Indochina.

PRIORITY SIX, OTHERWISE OF NATIONAL INTEREST: Other refugees in specified regional groups whose admission is in the national interest.

FOR EAST ASIA, add the following: (a) persons who have not reached their eighteenth birthday, who are not accompanied by an older relative or guardian in the camps, and whose parents or guardians are deceased or did not escape, and for whom the UNHCR has specifically requested resettlement assistance. Such persons must not have relatives in another resettlement country.

INDOCHINESE REFUGEE ACTIVITY

Camp Populations by Ethnic Group
As of September 30, 1987

COUNTRY	CAMP	LAO	HIGHLAND	KHMER	VIETNAMESE	TOTAL
HONG KONG	Argyle St. Camp 3	0	0	0	165	165
	Chi Ma Wan	0	0	0	1,454	1,454
	Hei Ling Chau	0	0	0	2,802	2,802
	Kai Tak North	0	0	0	3,084	3,084
	Tuen Mun	0	0	0	1,676	1,676
	Victoria Remand Cen.	0	0	0	27	27
	SUBTOTAL	0	0	0	9,208	9,208
INDONESIA	Galang-1st. Asylum	0	0	0	2,032	2,032
	Galang RPC	0	0	0	0	0
	SUBTOTAL	0	0	0	2,032	2,032
JAPAN	Japan	0	0	0	626	626
KOREA	Pusan	0	0	0	92	92
MACAU	Kaho	0	0	0	554	554
MALAYSIA	Pulau Bidong	0	0	0	4,322	4,322
	Sungei Besi	0	0	0	2,947	2,947
	SUBTOTAL	0	0	0	7,269	7,269
PHILIPPINES	Bataan ODP	0	0	0	2,047	2,047
	Bataan RPC	2,922	0	231	2,864	6,017
	Palawan	0	0	0	3,739	3,739
	PRTC	0	0	0	156	156
	SUBTOTAL	2,922	0	231	6,759	11,959
SINGAPORE	Singapore	0	0	0	195	195
THAILAND	Ban Nam Yao	0	1,743	0	0	1,743
	Ban Vinai	262	38,779	0	0	39,041
	Bangkok Transit	48	9	97	38	192
	Chiang Kham	91	8,582	0	0	8,673
	Kapcherng	0	0	1,127	0	1,127
	Khao-I-Dang	0	0	21,186	0	21,186
	Napho	18,168	771	0	0	18,939
	Phanat Nikhom RPC	161	2,336	0	0	2,497
	Phanat Processing	779	2,048	286	9,896	13,009
	Phanat Transit	1,344	443	649	1,459	3,895
	SUBTOTAL	20,853	54,711	23,345	11,393	110,302
TAIWAN	Taiwan	0	0	0	193	193
GRAND TOTAL		23,775	54,711	23,576	40,368	142,430

Source: U.S. State Department, Bureau for Refugee Programs

ESTIMATED COSTS OF REFUGEE MOVEMENT TO AND RESETTLEMENT IN THE U.S., FY 87 and 88

(dollars in millions)

	FY 87	FY 88 Current Budget Request[1]		
Agency	Program Total Cost	FY 88 Arrivals	Prior Arrivals	Total
DEPARTMENT OF STATE Bureau for Refugee Programs				
Voluntary Agency Services Overseas	$ 15.4	$ 15.0	$ ---	$ 15.0
Language/Orientation Programs Overseas	19.0	17.2	---	17.2
Transportation Loans	35.2	31.0	---	31.0
Reception and Placement Agreements	39.1	31.4	---	31.4
Subtotal	$ 108.7	$ 94.6	$ ---	$ 94.6
DEPARTMENT OF HEALTH AND HUMAN SERVICES Office of Refugee Resettlement				
State Administered Programs	325.8	78.5	166.7	245.2
Voluntary Agency Programs	5.8	2.0	---	2.0
Preventive Health	8.0	6.1	---	6.1
Subtotal	$ 339.6	$ 86.6	$ 166.7	$ 253.3
Other HHS				
Aid to Families with Dependent Children (AFDC)	53.0	$ 14.6	33.4	48.0
Medicaid	30.0	7.8	19.2	27.0
Supplemental Security Income	10.0	2.9	6.1	9.0
Subtotal	$ 93.0	25.3	58.7	84.0
GRAND TOTAL	$ 541.3	$206.5	225.4	431.9

1/ The Administration's budget request, submitted in January 1987, is based on 55,000 FY 88 refugee admissions. In October, President Reagan authorized a worldwide refugee admissions ceiling of 72,500, which included an unallocated reserve of 4,000. As of December, FY 88 budget appropriations had not been acted upon by Congress, except as short-term continuing resolutions.

Source: Office of the U.S. Coordinator for Refugee Affairs, Proposed Refugee Admissions and Allocations for Fiscal Year 1988.

INDOCHINESE REFUGEE ACTIVITY
(Excluding Orderly Departure Program)
Cumulative Since April 1975

FIRST ASYLUM COUNTRIES	POPULATION AS OF 9/30/87	FY 87 ARRIVALS	ARRIVALS SINCE APRIL 1975	TO U.S.	3RD COUNTRIES	VOLUNTARY REPATRIATION	RELOCATION	OTHER
HONG KONG	9,208	3,254	129,261	50,055	58,363	14	0	249
MACAU	554	17	7,648	2,427	3,415	0	0	574
INDONESIA	2,032	1,421	101,802	42,486	39,277	6	0	47
MALAYSIA	7,269	7,230	221,825	87,505	89,039	1	0	111
PHILIPPINES	3,895	2,791	41,742	9,815	13,594	9	0	31
SINGAPORE	195	630	32,750	5,538	19,525	1	0	3
OTHER	911	196	41,047	6,190	32,946	0	0	15
THAILAND-KHMER	23,345	1,372	237,791	50,284	70,126	42	41,172	181
THAILAND-HIGHLANDERS	52,375	4,219	142,993	52,686	21,184	748	0	1,318
THAILAND-LAO	20,692	4,799	187,754	71,844	43,182	2,375	1,000	3,040
THAILAND-VIETNAMESE LAND	739	1,263	30,415	7,998	11,645	0	0	72
THAILAND-VIETNAMESE BOAT	10,654	8,096	92,276	27,101	23,713	2	0	115
SUBTOTAL THAILAND	107,805	19,749	691,229	209,913	169,850	3,167	42,172	4,726
SUBTOTAL LAND REFUGEES	97,151	11,669	598,969	182,812	146,137	3,165	42,172	4,611
SUBTOTAL BOAT REFUGEES	34,718	23,619	668,335	231,117	279,872	33	0	1,145
TOTAL FIRST ASYLUM	**131,869**	**35,288**	**1,267,304**	**413,929**	**426,009**	**3,198**	**42,172**	**5,756**
REFUGEE PROCESSING CENTERS (RPCs)								
BATAAN	8,064	16,383	183,173	177,025	5,240	0	0	140
GALANG	0	7	55,501	50,651	4,667	0	0	146
PHANAT NIKHOM	2,497	9,525	33,725	32,206	7	0	0	181
TOTAL RPCs	**10,561**	**25,915**	**272,399**	**259,882**	**9,914**	**0**	**0**	**467**
VIETNAMESE TO U.S. IN 1975	0	0	124,547	123,000	0	1,547	0	0
OTHER TO U.S. IN 1975	0	0	12,000	12,000	0	0	0	0
VN TO CHINA BETWEEN 1977-79	0	0	263,000	0	263,000	0	0	0
GRAND TOTAL	**142,430**	**35,288**	**1,666,851**	**808,811**	**698,923**	**4,745**	**42,172**	**6,223**

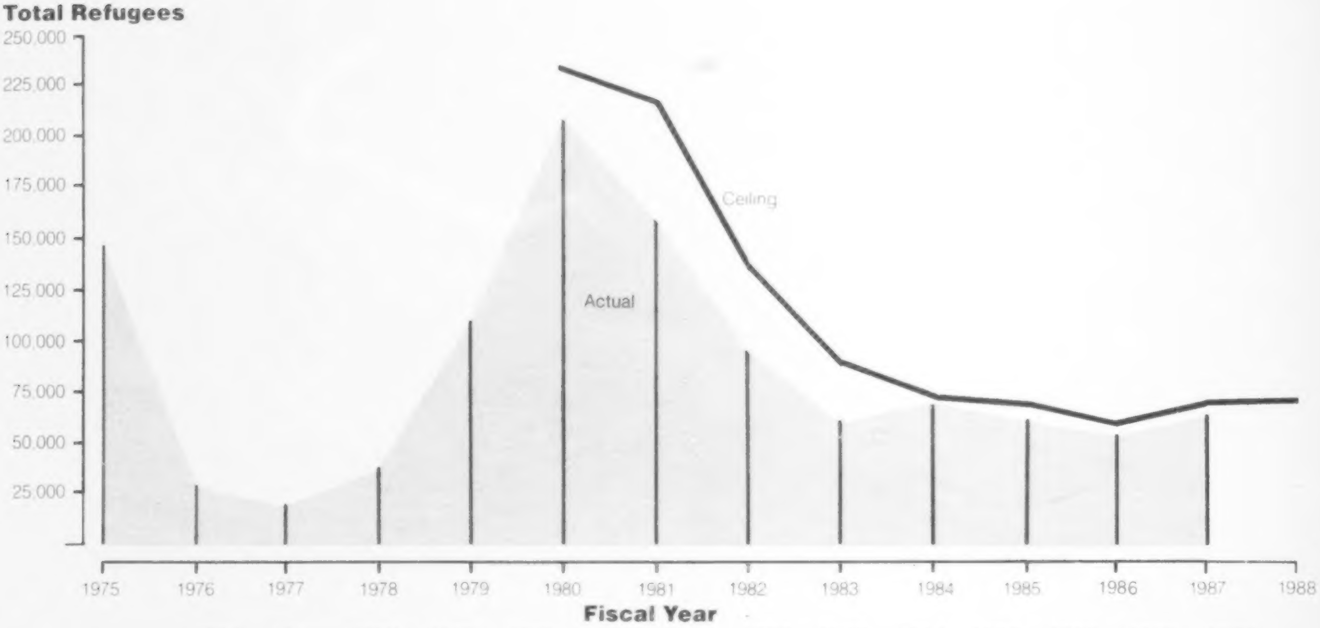
Source: Bureau for Refugee Programs/U.S. Department of State.

SOUTHEAST ASIAN REFUGEE DEPARTURES TO RESETTLEMENT COUNTRIES, FY 86, FY 87 AND CUMULATIVE SINCE APRIL 1975

RESETTLEMENT COUNTRY	FY 86		FY 87		April 1975 Through Sept. 1987	
	NUMBER	% OF TOTAL	NUMBER	% OF TOTAL	NUMBER	% OF TOTAL
AUSTRALIA	8,806	12.0	8,176	13.2	120,586	7.4
BELGIUM	153	.2	136	.2	7,024	.4
CANADA	9,927	13.6	7,071	11.4	136,943	8.5
CHINA	0	0	0	0	265,778	16.4
DENMARK	207	.2	256	.4	4,026	.2
FRANCE	2,850	3.9	2,464	3.9	114,563	7.0
GERMANY	1,090	1.5	401	.6	30,869	1.9
ITALY	86	.1	20	.1	3,630	.2
JAPAN	384	.5	560	.9	2,510	.1
NETHERLANDS	321	.4	389	.6	6,907	.4
NEW ZEALAND	738	1.0	796	1.2	8,489	.5
NORWAY	354	.5	413	.7	6,109	.4
SWEDEN	276	.4	317	.5	4,682	.3
SWITZERLAND	104	.1	92	.1	10,149	.6
UNITED KINGDOM	844	1.0	240	.4	20,184	1.2
UNITED STATES	45,454	62.2	40,115	64.9	851,000	52.5
OTHER	1,473	2.0	409	.7	25,172	1.5
TOTAL	73,067	100.0 a/	61,855	100.0 a/	1,618,621	100.0 a/

b/ Totals may not equal 100 percent because of rounding off
Source: Bureau for Refugee Program/U.S. Department of State

ACTUAL REFUGEE ADMISSIONS TO THE U.S. AND CEILINGS ON REFUGEE ADMISSIONS, FY 75-87
(As of September 30, 1987)



	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	1988
Actual	146,158	27,206	19,946	36,507	111,363	207,116	159,252	97,355	61,681	71,113	68,045	62,440	64,831	
Ceiling						231,000	217,000	140,000	90,000	72,000	70,000	67,000	70,000	72,500

	FY 75	FY 76	FY 77	FY 78	FY 79	FY 80	FY 81	FY 82	FY 83a/	FY 84b/	FY 85b/	FY 86	FY 87b/	FY 88	TOTAL
AFRICA						955	2,119	3,326	2,648	2,747	1,953	1,315	1,994		17,057
(CEILINGS)						**1,500**	**3,000**	**3,500**	**3,000**	**2,750**	**3,000**	**3,500**	**2,000**	**3,000**	
ASIA	135,000	15,000	7,000	20,574	76,521	163,799	131,139	73,522	39,408	51,960	49,970	45,454	40,115		849,462
						169,200	**168,000**	**96,000**	**64,000**	**52,000**	**50,000**	**45,500**	**40,500**	**38,000**	
EASTERN EUROPE	1,947	1,756	1,755	2,245	3,393	5,025	6,704	10,780	12,083	10,285	9,350	8,713	8,606		82,642
						5,000	**4,500**	**11,000**							
SOVIET UNION	6,211	7,450	8,191	10,688	24,449	28,444	13,444	2,756	1,409	715	640	787	3,694		108,878
						33,000	**33,000**	**20,000**	**15,000**	**11,000**	**10,000**	**9,500**	**12,300**	**15,000**	
LATIN AMERICA	3,000	3,000	3,000	3,000	7,000	6,662	2,017	602	668	160	138	173	315		29,735
						20,500	**4,000**	**3,000**	**2,000**	**1,000**	**3,000**	**3,000**	**1,000**	**3,500**	
NEAR EAST AND SOUTH ASIA						2,231	3,829	6,369	5,465	5,246	5,994	5,998	10,107		45,239
						2,500	**4,500**	**6,500**	**6,000**	**5,250**	**6,000**	**6,000**	**10,200**	**9,000**	
UNALLOCATED RESERVE													0		
													4,000c/	**4,000**	
TOTAL	146,158	27,206	19,946	36,507	111,363	207,116	159,252	97,355	61,681	71,113	68,045	62,440	64,831		1,133,013
						231,700	**217,000**	**140,000**	**90,000**	**72,000**	**70,000**	**67,000**	**70,000**	**72,500**	

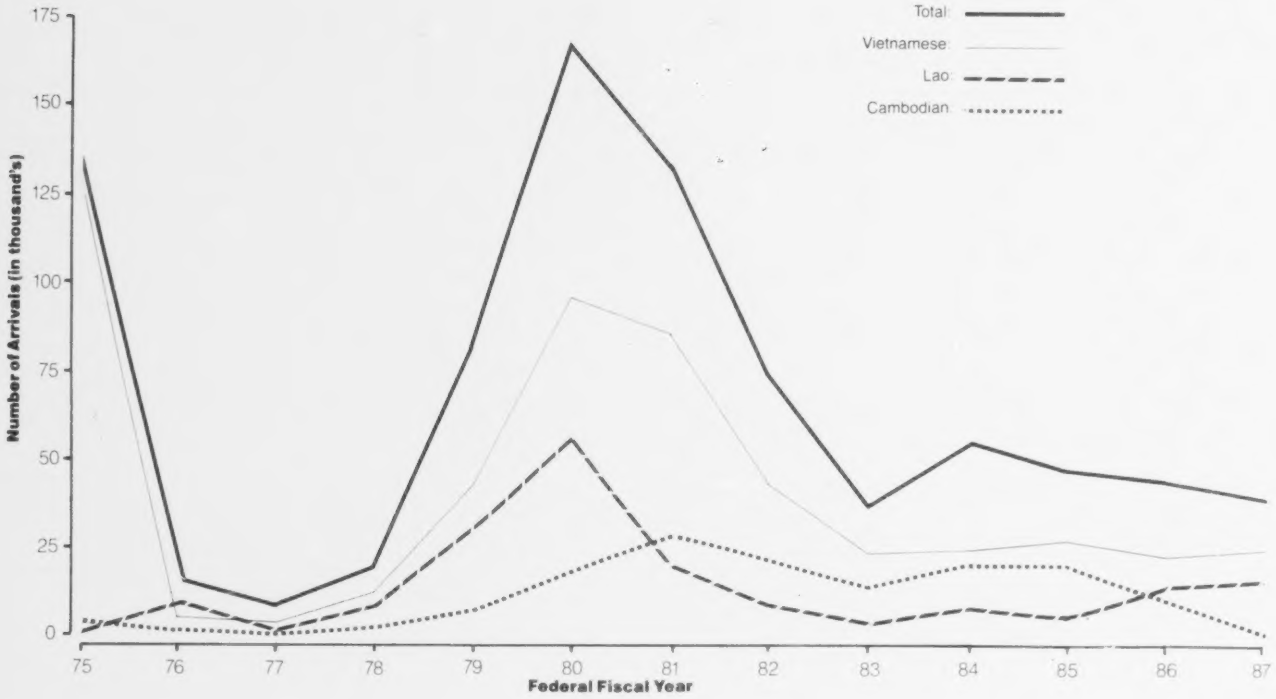
a/ From FY 83 on, the Eastern Europe ceiling was combined with the ceiling for the Soviet Union.

b/ This chart shows the adjusted regional ceilings that were established at mid-year consultations in FY 84, FY 85, and FY 87. The overall annual ceilings did not change.

c/ The FY 87 and FY 88 admissions ceilings include an unallocated reserve for "contingent refugee admission needs," to be used only after consultation with Congress, and only to the extent that private sector funding is available to support admissions using the reserve.

NOTE: Figures in shaded areas represent annual ceilings.
Source: Bureau for Refugee Programs/U.S. Department of State.

SOUTHEAST ASIAN REFUGEE ARRIVALS IN THE UNITED STATES BY NATIONALITY, FY 75-87

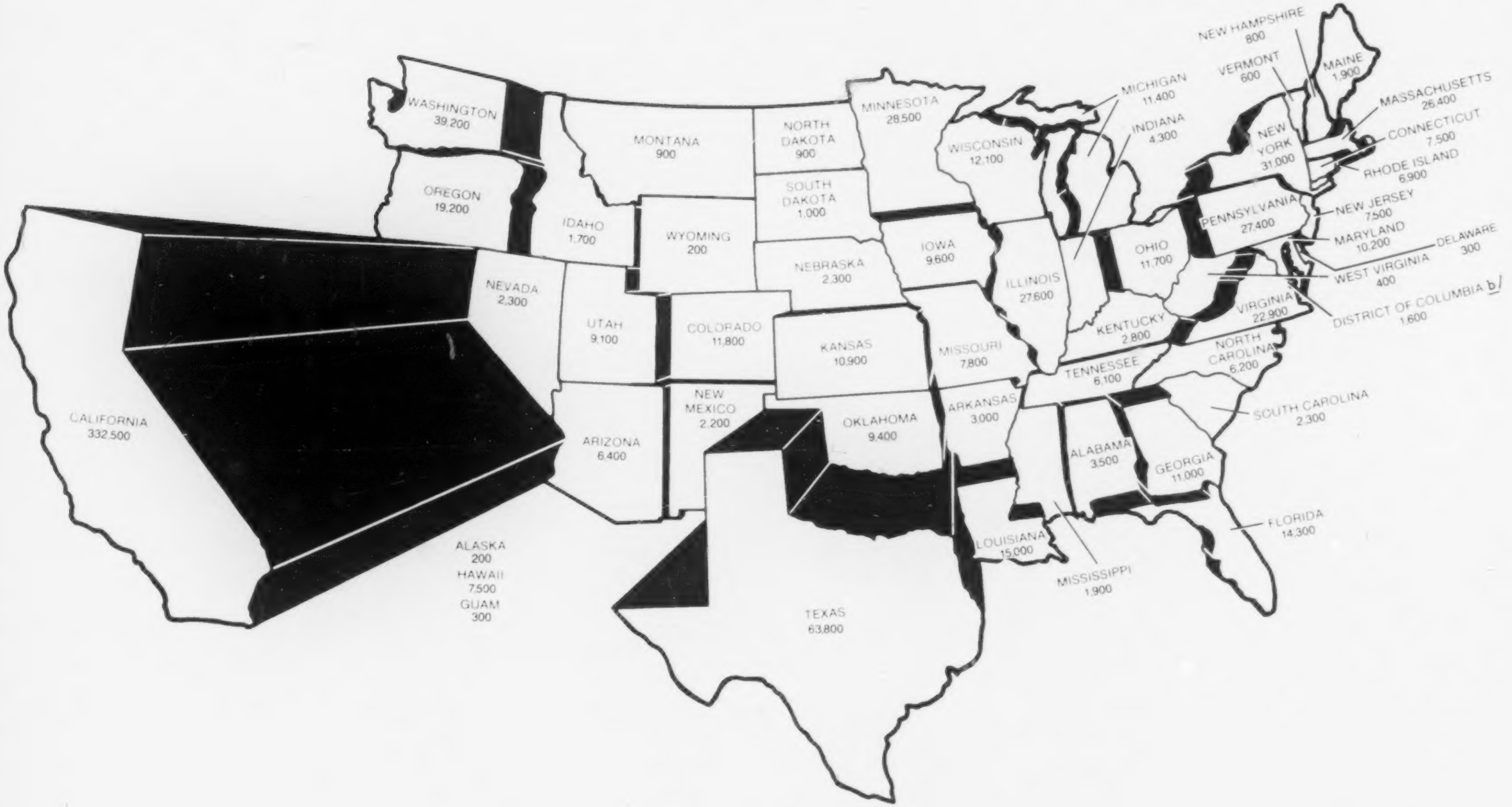


Federal Fiscal Year	Country of Nationality Cambodia	 Laos	 Vietnam	Total a/
1987	1,539	15,564	23,012	40,115
1986	10,054	12,894	22,443	45,391
1985	19,131	5,181	25,209	49,528
1984	19,849	7,224	24,927	52,000
1983	13,114	2,835	23,459	39,408
1982	20,234	9,437	43,656	73,327
1981	27,100	19,300	86,100	132,500
1980	16,000	55,500	95,200	166,700
1979	6,000	30,200	44,500	80,700
1978	1,300	8,000	11,100	20,400
1977	300	400	1,900	2,600
1976	1,100	10,200	3,200	14,500
1975	4,600	800	125,000	130,400
TOTAL	140,321	177,535	529,706	847,569

a/ Total may not agree with U.S. State Department annual arrival data because they are based on different data files.

Source: Linda W. Gordon, Chief Statistician, ORR, "Southeast Asian Refugee Migration to the United States," September 1984, and Office of Refugee Resettlement, U.S. Department of Health and Human Services.

SOUTHEAST ASIAN REFUGEES: ESTIMATED CUMULATIVE STATE POPULATION a/ INCLUDING ENTRIES FROM 1975 THROUGH SEPTEMBER 1987


WASHINGTON 39,200
OREGON 19,200
CALIFORNIA 332,500
IDAHO 1,700
NEVADA 2,300
MONTANA 900
WYOMING 200
UTAH 9,100
ARIZONA 6,400
COLORADO 11,800
NEW MEXICO 2,200
NORTH DAKOTA 900
SOUTH DAKOTA 1,000
NEBRASKA 2,300
KANSAS 10,900
OKLAHOMA 9,400
TEXAS 63,800
MINNESOTA 28,500
IOWA 9,600
MISSOURI 7,800
ARKANSAS 3,000
LOUISIANA 15,000
WISCONSIN 12,100
ILLINOIS 27,600
MICHIGAN 11,400
INDIANA 4,300
OHIO 11,700
KENTUCKY 2,800
TENNESSEE 6,100
MISSISSIPPI 1,900
ALABAMA 3,500
GEORGIA 11,000
FLORIDA 14,300
SOUTH CAROLINA 2,300
NORTH CAROLINA 6,200
VIRGINIA 22,900
WEST VIRGINIA 400
DISTRICT OF COLUMBIA b/ 1,600
DELAWARE 300
MARYLAND 10,200
PENNSYLVANIA 27,400
NEW JERSEY 7,500
NEW YORK 31,000
CONNECTICUT 7,500
RHODE ISLAND 6,900
MASSACHUSETTS 26,400
VERMONT 600
NEW HAMPSHIRE 800
MAINE 1,900
ALASKA 200
HAWAII 7,500
GUAM 300

a/ Adjustments for secondary migration were last incorporated into these estimates as of 9/30/85. New adjustments for migration through FY 1987 have not been calculated. All totals rounded to the nearest hundred.

b/ Arrival figures for the District of Columbia are overstated because they are based on the address of the sponsoring organization. Most of those persons are thought to settle directly in nearby Maryland or Virginia.

Source: Office of Refugee Resettlement/U.S. Department of Health and Human Services

REFUGEE ARRIVALS BY COUNTRY OF CITIZENSHIP AND STATE OF INITIAL RESETTLEMENT FY 83 THROUGH FY 87

COUNTRY OF CITIZENSHIP

STATE	CAMBODIA	LAOS	VIETNAM	CZECHOSLOVAKIA	HUNGARY	POLAND	ROMANIA	USSR	ETHIOPIA	AFGHANISTAN	IRAN	IRAQ	TOTAL[a/]
Alabama	278	233	558	5	3	37	26	5	58	36	25	0	1,264
Alaska	4	37	58	3	0	20	10	1	0	7	27	0	167
Arizona	614	260	2,714	30	10	201	450	12	357	117	105	1	4,871
Arkansas	31	329	354	8	4	98	7	1	0	3	14	14	863
California	16,113	14,642	44,787	1,297	501	2,612	5,076	2,593	2,192	4,589	9,571	571	104,544
Colorado	521	781	1,446	105	25	136	49	24	134	188	108	3	3,520
Connecticut	1,062	656	746	96	251	631	347	86	54	67	131	5	4,132
Delaware	0	7	49	0	2	7	8	5	2	15	22	0	117
District of Columbia	236	134	569	23	27	144	57	8	476	181	90	0	1,945
Florida	1,025	494	2,792	129	150	505	421	87	233	145	283	3	6,267
Georgia	1,653	701	2,062	69	69	123	116	20	345	272	203	7	5,640
Hawaii	72	456	1,055	9	2	4	2	0	2	30	0	0	1,632
Idaho	256	205	288	275	16	253	103	6	3	0	16	0	1,421
Illinois	2,790	1,594	3,072	241	104	1,983	2,233	291	462	240	361	666	14,037
Indiana	224	180	482	33	21	151	92	19	33	49	47	7	1,338
Iowa	527	924	1,073	12	21	130	22	3	14	3	28	2	2,759
Kansas	397	445	2,143	15	0	27	18	1	10	73	37	0	3,166
Kentucky	429	155	691	0	0	29	49	2	46	36	23	1	1,461
Louisiana	545	442	2,496	13	1	78	20	7	26	34	36	0	3,697
Maine	658	24	145	26	4	271	9	3	0	217	62	0	1,419
Maryland	1,088	337	1,509	125	57	374	223	113	559	297	634	31	5,347
Massachusetts	4,965	822	3,785	618	30	413	94	551	199	69	248	15	11,809
Michigan	177	587	1,285	72	47	1,309	1,012	94	184	43	120	975	5,905
Minnesota	2,406	3,773	2,236	44	38	255	159	35	334	126	93	0	9,499
Mississippi	7	17	523	11	2	9	7	0	12	4	9	0	601
Missouri	715	504	1,578	173	121	419	220	21	366	99	62	2	4,280
Montana	6	123	54	7	0	12	4	0	7	5	1	0	219
Nebraska	105	102	354	64	10	171	22	0	5	148	9	1	991
Nevada	126	132	645	12	15	132	28	9	162	87	185	6	1,539
New Hampshire	334	43	112	12	5	28	8	0	1	10	22	0	575
New Jersey	252	132	1,854	159	90	986	404	162	173	372	276	13	4,873
New Mexico	286	216	382	8	3	41	20	2	11	43	29	0	1,041
New York	3,001	858	5,664	551	431	3,807	3,569	2,395	638	2,310	1,939	26	25,189
North Carolina	1,389	434	1,034	17	28	160	68	4	51	88	37	0	3,310
North Dakota	135	26	104	91	33	90	126	0	42	0	13	8	668
Ohio	1,623	707	1,022	91	137	194	618	81	243	42	104	7	4,869
Oklahoma	466	315	1,528	8	1	86	54	1	23	23	161	7	2,673
Oregon	860	847	2,110	16	12	65	589	19	112	66	101	1	4,798
Pennsylvania	2,864	611	3,555	151	136	941	376	231	283	145	180	15	9,488
Rhode Island	1,111	710	189	0	107	67	13	23	10	1	13	0	2,244
South Carolina	94	63	234	0	8	12	20	0	9	19	28	0	487
South Dakota	34	51	115	36	42	113	94	2	105	24	9	4	629
Tennessee	1,167	996	733	27	7	118	47	19	59	90	73	20	3,356
Texas	5,110	2,749	11,121	212	81	1,013	723	56	1,127	541	891	61	23,685
Utah	1,728	433	1,111	264	2	183	46	12	1	12	84	2	3,878
Vermont	225	19	18	145	14	28	34	2	2	0	7	0	494
Virginia	2,060	715	3,295	30	34	167	86	9	296	1,399	291	32	8,414
Washington	4,288	2,148	4,155	119	302	557	320	23	364	203	189	3	12,671
West Virginia	16	19	31	8	6	17	8	0	1	11	8	0	125
Wisconsin	206	2,699	414	23	9	166	14	27	40	35	45	0	3,678
Wyoming	0	14	15	3	5	4	0	0	0	30	3	0	74
Guam	0	0	32	0	0	0	0	0	0	0	0	0	32
Other and Unknown	0	0	0	0	0	0	2	1	0	0	0	0	3
TOTAL	64,279	43,901	118,376	5,486	3,024	19,377	18,123	7,066	9,866	12,644	17,053	2,509	321,704

a/ State totals may include other countries of citizenship not shown, generally countries with small numbers of arrivals.

Note: Figures for FY 87 are based on data from the Refugee (formerly ACVA) Data Center, the Intergovernmental Committee for Migration, and other federal agencies as of October 15, 1987 and may not include information on all refugees in the categories reported.

Source: Office of Refugee Resettlement, U.S. Department of Health and Human Services

UNITED STATES CONTRIBUTIONS TO INTERNATIONAL REFUGEE SITUATIONS, FY 1987 AND FY 1988

	FY 1987 Actuals	FY 1988 Appropriation Request
United Nations High Commissioner for Refugees (UNHCR)		
Africa	44,500,000a/	43,500,000
East Asia: Indochinese	17,815,000	14,100,000
East Asia: Orderly Departure Program	0	400,000
Latin America	10,413,000	12,000,000
Near East and South Asia: Pakistan	21,619,000b/	18,700,000
UNHCR Subtotal	94,347,000	88,700,000
United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)	70,000,000c/	67,000,000
Refugees Resettling in Israel	25,000,000	10,000,000
International Committee of The Red Cross		
Ordinary Budget	4,500,000	3,500,000
Africa	17,000,000d/	14,000,000
East Asia: Khmer Relief	1,500,000	1,800,000
Latin America	3,650,000	3,500,000
Near East and South Asia: Pakistan	2,200,000	1,800,000
Lebanon	1,250,000e/	0
ICRC Subtotal	30,100,000	24,600,000
Other		
Africa: Special Projects	3,225,000	2,500,000
East Asia: Anti-Piracy	1,750,000	1,000,000
East Asia: Khmer Relief		
UNBRO	9,800,000	10,700,000
Other	335,000	0
Latin America	4,687,000	0
Near East and South Asia: Pakistan	3,300,000b/	1,700,000
Intergovernmental Committee for Migration (ICM)	5,400,000	5,700,000
Other Subtotal	28,497,000	21,600,000
Administration	8,333,000	8,000,000
SUBTOTAL: Refugee Program	256,277,000	219,900,000

a/ Includes $1,250,000 from the Emergency Refugee and Migration Assistance Fund (ERMA).

b/ Does not include contributions equivalent to $10 million in rupees.

c/ includes $3 million from ERMA

d/ Includes $3 million from ERMA

e/ Total amount funded from ERMA

Source: Office of the U.S. Coordinator for Refugee Affairs.

ASYLUM CASES FILED WITH INS DISTRICT DIRECTORS APPROVED AND DENIED, BY SELECTED NATIONALITIES

	June 1983 - September 1987 Cumulative			FY 87 Only			
Country	Approval Rate for Cases Decided	Cases Granted	Cases Denied	Approval Rate for Cases Decided	Cases Granted	Cases Denied	Cases Currently Pending
*TOTAL	25.9%	22,885	65,171	54.0%	4,062	3,454	80,730
Iran	61.0%	11,695	7,473	67.4%	967	468	786
Romania	52.8%	550	491	59.7%	126	85	175
Czechoslavakia	44.7%	110	136	39.3%	11	17	37
Syria	37.2%	161	272	83.9%	47	9	67
Afghanistan	36.8%	366	629	26.2%	22	62	102
Poland	36.1%	2,253	3,992	47.4%	447	497	543
Ethiopia	31.5%	899	1,958	47.3%	165	184	241
Hungary	30.3%	151	348	20.0%	14	56	74
Vietnam	28.9%	60	147	66.7%	10	5	7
China	24.9%	106	319	63.6%	21	12	52
Uganda	23.8%	76	244	4.2%	1	23	23
Nicaragua	21.6%	4,469	16,213	**83.9%	1,867	357	13,560
Philippines	18.8%	78	336	2.2%	1	45	60
Somalia	17.2%	88	423	36.8%	14	24	56
Yugoslavia	14.2%	47	285	30.8%	16	36	80
Cuba	12.6%	291	2,016	38.9%	70	110	60,053
Liberia	10.2%	27	238	25.9%	7	238	18
Pakistan	7.0%	30	396	16.1%	5	26	70
Lebanon	3.9%	57	1,402	26.4%	23	64	151
Honduras	2.8%	8	273	4.9%	2	39	172
El Salvador	2.7%	557	19,983	3.6%	29	776	2,393
Haiti	1.7%	30	1,700	0.0%	0	69	868
Guatemala	1.3%	21	1,639	3.8%	7	178	611
Egypt	0.9%	7	735	13.5%	5	32	28
India	0.3%	1	362	0.0%	0	51	33
Bangladesh	0.0%	0	411	0.0%	0	8	9

* The total includes all nationalities, not just those listed here.

** According to the INS, the Nicaragua approval rate "does not reflect substantial numbers of drafted denials which were not completed prior to September 30 due to clerical shortages in two INS offices, including one with the vast majority of Nicaraguan casework."

Note: Starting in May 1983, the INS kept asylum statistics by number of cases. Each case, or application, may include more than one individual. From June to September 1982 and October 1982 to April 1983, INS asylum figures were for actual number of individuals. To avoid inconsistency, this chart includes data only since INS data was based on number of cases. The total includes all nationalities, not just those selected for this list.

This chart is based on data for asylum cases filed with INS district directors only. Many applications for asylum are filed with immigration judges, particularly in the context of deportation proceedings. The Office of the Chief Immigration Judge is developing a data system, but asylum statistics are not now available.

Source: Immigration and Naturalization Service.

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REFUGEE REPORTS is published monthly for $28.00 per year for one subscription, $20.00 each for two or more subscriptions to the same addressee, or $20.00 each for ten or more subscriptions requested at the same time, mailed to separate addresses; overseas postage, $24.00 additional; by ACNS, 95 Madison Avenue, Third Floor, New York, NY 10016. Application to mail at 2nd class postage rates is pending at New York and additional mailing offices. POSTMASTER: send address changes to *Refugee Reports,* Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204.

Editorial comments and inquiries should be sent to: *Refugee Reports,* 815 Fifteenth Street NW, Suite 610, Washington, DC 20005. All communications regarding subscriptions should be sent to: Refugee Reports Subscriptions, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204. (615) 377-3322.

Basic subscription rate for 12 issues per year: $28.00; Multiple-copy rate: $20.00; Single copies of back issues: $2.50.
Editor: Virginia Hamilton; Staff Writers: Bill Frelick, Court Robinson
Production Coordinator: Koula Papanicolas.
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Refugee Reports

A Project of the American Council
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Volume IX, Number 1

January 22, 1988

HURDLES BAR PATH TO CONTINUING MEDICAL PRACTICE FOR REFUGEE PHYSICIANS

When the Khmer Rouge entered Phnom Penh in 1975, Sokhom Chan, M.D., was working in that city's largest hospital. He recalls that the Khmer Rouge forced the sick and injured, as well as the hospital staff, out of the hospital and onto the forced march into the countryside.

One of Chan's best friends, a surgeon, worked until the last moment trying to make wounded people as ambulatory as possible. As soon as the hospital was cleared out, Chan recalls, his friend was killed.

For the next several years Chan hid his identity. He discarded his diploma and any other documents linking himself to his past life. "If I had been caught with my diploma, I would have been executed."

"I looked like a walking skeleton," he said, "carrying a plow on my shoulder from 3 AM to 9 PM every day."

"I lost my parents, two of my children, and eight other family members," he said.

After the Vietnamese invasion of Cambodia, Chan returned to working as a physician, but came to see that he was under constant surveillance. One day he was told that a Heng Samrin soldier wanted him; he left for the Thai border that very night. After the journey to Thailand, he worked in the hospital in the Khao I Dang refugee camp.

Today, seven years after arriving in the United States, Sokhom Chan is working as a social worker with Cambodian refugees in New York. Although he passed the ECFMG exam in 1982--the exam required for foreign medical graduates (FMGs) seeking to enter U.S. residency and fellowship programs--Chan has not been able to resume work in the area of his training. He has been unable to find a hospital residency program willing to take him. "They wanted American medical school graduates as residents or physicians from English-speaking countries like India," he said.

Mohammad K. Waziri, M.D., had been the director general of Afghanistan's National Medical Laboratories until the Soviet invasion in 1979. After the invasion, "I was replaced by a communist," he said.

Under pressures to revive a faltering health

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system, however, Waziri was brought back from "retirement" to teach at the Faculty of Medicine in Kabul. But he quickly learned that many professors had been dismissed, and that some had been killed or arrested. Then, he too was arrested and subjected to 72 hours of interrogation.

Waziri was accused of being a CIA agent because as the director of the National Laboratories he had advocated placing Peace Corps volunteers in each of the country's 165 laboratories--actually 200-to-300 bed hospitals providing basic health services, especially in the provinces.

Waziri took the opportunity of the pilgrimage to Mecca to make his escape. He spent the next five years in Kuwait, separated from his family, but able to work in the area of his specialization, medical microbiology. During that time he tried repeatedly, but unsuccessfully, to be accepted into the U.S. overseas refugee processing program, despite the fact that some of his family, including his children, were U.S. residents. Finally, after years of mixed signals from the U.S. authorities, he came to the United States on a tourist visa.

For the past two years, Waziri has not been authorized to work at all while his asylum application has been pending. Lawyers fees have eaten away his savings and he has lived with the frustration of watching his son work for 70 hours a week to support the whole family.

Waziri not only experienced a precipitous loss of status, but imposed inactivity as well. He told Refugee Reports, "I am ashamed when I look at myself. My own people made me a doctor, and yet I can't serve my people."

Waziri has decided to leave the United States and go to Pakistan. "I will feel better if I can help my people," he said. Once again, he will be separated from his family.

Recertification Represents a Major Obstacle Refugee doctors face a variety of obstacles to returning to their professions. Some, such as Waziri, face problems not directly related to professional recertification. Others, such as Chan, can trace their difficulties very specifically to problems in obtaining professional training and recertification.

The United States has become increasingly restrictive with regard to allowing any FMGs to practice. Part of the reason is that there are simply fewer available residency places available for the pool of physicians who would like to train and practice in the United States.

In 1976, 15,496 FMGs represented 25.6 percent of residents admitted to accredited residency programs in the United States. The percentage of the total, as well as the actual number of FMGs admitted to residencies, has been declining steadily throughout the decade. In 1986, the percentage of FMGs in U.S. residencies had declined to 16 percent, and the actual number of residents to 12,300.

But this statistic only tells part of the story. FMGs increasingly are Americans who study abroad. In fact, nearly half of FMGs now admitted to residency programs are native-born Americans or naturalized citizens.

Many believe that this more competitive environment has resulted in the qualifying exams themselves becoming more difficult in recent years. "Those who came in 1975 are lucky," said Siphath Chrea, M.D., a Cambodian refugee. "New people coming in now don't have a chance."

Nasy Ong Kho, M.D., another Cambodian refugee, said that the ECFMG exam was a one-day test with 420 questions three years ago, but today is a two-day test with 820 questions.

"It is very hard, very detailed," she said. "It is a good test for people fresh out of medical school, but I had left school twenty years ago."

The ECFMG, now called the FMGEMS, also tests English comprehension. "More people pass the medical part than the English part," said Chrea.

ECFMG Defends Method of Testing Because the FMGEMS represent such a major hurdle for refugee physicians, they are frequently challenged as being unduly difficult.

They are seen in a different light by Ray L. Casterline, M.D., ECFMG vice president and chief executive officer. "Even though we are open to refugees," he told Refugee Reports, "we still are more concerned with providing the nation with capable health care in a safe fashion."

Casterline said that three years ago, it was indeed a one-day exam, but that it

SANTA ROSA PROGRAM ENCOURAGES REFUGEE NURSES

Ching Kouch started her career in a Cambodian refugee camp in Thailand, translating for doctors and assisting in the wards of a makeshift hospital. When she came to the United States in 1981, she helped other new arrivals make medical appointments and accompanied them on their visits. On January 23, she graduated from the vocational nursing program at Santa Rosa Community College, and in April, Ching will travel to Sacramento with her 23 classmates to take an all-day state board examination for her nursing license.

"Sure, I'll be nervous," Ching said, "but I feel confident." She should feel confident. After all, for the last 18 months she has carried a full course load at nursing school, supplemented by four hours of vocational English every week, while working two hours a day for the local public health department. And, of course, after school, there was "lots to study at home."

Eight of Ching's graduating classmates at Santa Rosa were refugees or immigrants from Laos, Vietnam, El Salvador, and the Philippines. In response to a growing need in Sonoma County for nurses with bilingual skills, the nursing department and the vocational studies program at Santa Rosa Community College got together and came up with a plan. Their idea was to put together a year-long program of vocational English for health careers, designed to help people with limited English proficiency to meet the prerequisites for the certificate program in vocational nursing.

The requirements include an academic course in food and nutrition, a nursing assistant certificate (CNA) and/or previous patient care experience, a math test, a language test, and an interview with the nursing department staff. Lila McDermott, an instructor in vocational English as a second language (VESL), started out with 12 people in her class, 8 of whom finished both the preparatory program and nursing school. The attrition rate, she said, was comparable to that for the general nursing student population.

During the first year of preparation, and on through the 18 months of nursing school, "language proficiency got constant attention," said McDermott, including "reading, test-taking, asking for clarification, giving feedback, communicating with patients, and communicating with co-workers." Outside of their supplemental language classes, which continued twice a week, the group followed the normal course of study in the nursing program. "Everything was done with American peers," said McDermott.

"It was frightening at the beginning," said Nina Ngao, a 23-year-old refugee from Vietnam. "I started from scratch and there was so much pressure, but Lila was helpful, helping us with the language." According to McDermott, the group's oral skills, such as talking to patients, were "not a problem," but tasks like filling out patient charts and taking reports were more difficult at first.

Another challenge, McDermott said, was the financial strain of full-time study. Small scholarships were provided to five of the students to cover the cost of uniforms, books, and the fee for the state board exam. Some worked at part-time jobs, and a few were on welfare.

The strengths of her students were many, according to McDermott. "Attendance was wonderful," she said, "patient care skills were outstanding, and they all showed a willingness to work very, very hard." The most rewarding part of the program for Nina Ngao was "talking to the patients and working with them. Some told me that I had given them the best care since they came to the hospital." She became interested in nursing because it is a "real professional job, you can go anywhere, and there is a big need for us in Sonoma County."

Many in the group have had commitments of employment, McDermott said, contingent on their passing the state boards in April, which would make them licensed vocational nurses, sometimes known in other states as licensed practical nurses. She hopes they will all pass on their first try. "We are confident we will," said Ngao, "and very excited."

was expanded to two days in order to have "more precise evaluation of applicants."

Some FMCs have charged that the test questions on the FMGEMS are more difficult than the ones on the national boards that American medical school graduates take. Dr. Jairo Casas, president of the Hispanic Doctors Association, for example, insisted in an interview with Refugee Reports that a different pool of questions is used.

But Casterline said that the test questions are drawn from the national board banks and that all FMGEMS questions have been used on at least one national board exam. Each question is calibrated according to its level of difficulty, said Casterline, and the FMGEMS "follows the precise blueprint for the national board exam, identical in content and in the percentage of difficult, average, and easy questions."

Casterline also said that the FMGEMS is half the length of the national boards--a four-day exam. Because the FMGEMS is administered throughout the world, he said, a four-day exam would double the security risk.

The 30 percent first-time pass rate for the FMGEMS has not differed from when it was a one-day exam, according to Casterline. He said that American medical school graduates pass the clinical portion of the national boards at a rate "well above 90 percent, and the basic sciences at well above 80 percent." Accounting for the discrepancy in performance, Casterline said that the questions follow the standardized curriculum in U.S. medical schools. He added, "From our point of view, medical education in the United States is the best in the world. The exam is built out of the U.S. medical system."

Casterline said that the fundamental purpose of the FMGEMS is to evaluate FMGs' medical proficiency in the English language to determine "if they are near enough to American graduates to allow them to enter training programs in U.S. hospitals, keeping in mind the safety of U.S. patients."

The FMGEMS English comprehension test is a modification of the TOEFL exam (test of English as a foreign language), Casterline said. "It is a very easy test if one understands English."

Residency Programs Less Interested in FMGs

After passing the FMGEMS, the next hurdle is to be accepted into a residency program. Many, such as Chan, the survivor of the Cambodian holocaust mentioned at the beginning of this story, find the doors to residency programs barred.

"It is very difficult for foreign graduates to get into training programs," said Dr. Casas of the Hispanic Doctors Association. "Many well-qualified specialists are driving taxis, some are on welfare," he said. "It is a real social problem."

Boris Skurkovich, M.D., a refugee physician from the Soviet Union who is currently a fellow in pediatric infectious diseases at Boston City Hospital, said, "When I started my residency in 1982, 8 or 9 of the 12 interns in my program were foreigners. Today, that same program doesn't have a single foreigner."

Skurkovich said that residency programs with high numbers of FMGs tend not to be rated as high as those with American graduates. Consequently, it has become much more difficult for FMGs to gain the clinical residency training necessary for practicing medicine in the United States.

Licensing Often Requires Unavailable Med School Documents from Refugee MDs

Although licensing for American medical school graduates is generally a straightforward affair, in which state licensing boards endorse certification by the National Board of Medical Examiners, FMGs face a host of additional conditions for licensure, depending on each particular state's licensing requirements. Generally, FMGs are required to show that they graduated from a school listed in the World Directory of Medical Schools, and are required to perform residency training in the United States. Then, FMGs must complete the next examination hurdle, the FLEX exam, a standardized federal licensing examination. In order to take the FLEX (or, sometimes, after the FLEX, but before a license will be issued), some states require applicants to produce a medical school diploma and/or transcript--often an impossibility for refugee physicians.

Skurkovich said that the licensing requirements in Massachusetts included a letter from the dean of his medical school in Moscow. "There is no way a refugee from the USSR could get a letter like that from his dean," he said.

Skurkovich, unable to provide a letter from the dean or a certified transcript from his medical school, had to engage the assistance of an attorney before a license was finally issued. "The bureaucracy in Massachusetts is just like in the Soviet Union," he remarked.

Unlike the Federation of State Medical Boards, which administers the FLEX, the Educational Commission for Foreign Medical Graduates (ECFMG), which administers the FMGEMS, has recognized that many refugee physicians cannot obtain transcripts, diplomas, licenses, and other documents from their home countries. In almost all cases documentation is required, but ECFMG officials have found that refugees from certain countries, such as the Soviet Union and the nations of Southeast Asia, often cannot obtain documents. In such cases, if three licensed physicians in the United States can submit sworn affidavits that the person is a graduate of a recognized medical school in his home country, the person is then permitted to take the FMGEMS. But that hardly matters, if the refugee physician's path is blocked at the state level.

Vietnamese Boat Refugee Physicians in California Denied Licenses In California, Vietnamese boat refugees who studied medicine after the 1975 fall of Saigon have been barred from receiving licenses, even after passing the FMGEMS, training in residency programs, and passing the FLEX.

Le Bup Thi Dao, M.D., who escaped from Vietnam by boat in 1978, passed the ECFMG in 1981, was permitted to take the written portion of the FLEX in 1982, which she passed, and then completed an internship and residency at the University of California Irvine Medical Center in 1984. In January 1986, she passed the oral portion of the FLEX on her first attempt. She was informed by California's Board of Medical Quality Assurance (BMQA) that all that remained to receive her license was a recent photograph and $200, both of which she promptly supplied.

However, in May 1986 she was informed that all processing of post-1975 Vietnamese medical graduates had been suspended. The BMQA said that it "cannot verify the operation, administration, or quality of medical schools in Vietnam after the fall of the Saigon government in the spring of 1975" and introduced a requirement to produce "official documentation and information which is verifiable...[such as] transcripts, diplomas, mark books and reports of clinical training, which are in sufficient detail to show that each of the specific requirements of...the Business and Professions Code have been met."

Dao was subsequently forced to refuse a job offer at Orange County Children's Hospital. She currently is working as a part-time research assistant in the Irvine Medical Center's Southeast Asian genetics program.

The American Medical Association (AMA) previously had accepted a Vietnamese faculty council-in-exile which had been authorized to verify the qualifications of pre-1975 Vietnamese medical school graduates. The Vietnamese-American Physicians Association proposed setting up another faculty council-in-exile to include pre- and post-1975 faculty members at the University of Saigon, but the BMQA did not respond to the proposal.

In the meantime, the BMQA suggested to Dao that she go back to medical school for two years. "I was a resident who supervised students at the University of California at Irvine," she said. "Now, they want me to be supervised by my former students." She told Refugee Reports that even though she has completed post-graduate training, "it would not be easy to get into medical school either."

She said that 10 American professors from the Irvine Medical Center wrote to the BMQA attesting to her qualifications and stressing the need for bilingual/bicultural physicians in Orange County.

Dao is one of 30 Vietnamese doctors in California who graduated from the University of Saigon after 1975. Vietnam is still unwilling to release transcripts or diplomas on their behalf. In the meantime, Dao and her colleagues wait and hope for a change in BMQA policy, and work in jobs that frequently underutilize their skills and training.

The wait, however, might not be too much longer. On January 1, a bill in the California legislature came into effect that creates a new faculty-in-exile for those who graduated from the University of Saigon after 1975. The faculty-in-exile will include five former faculty members, all of whom were there in the period after 1975, as well as member of the BMQA division of licensing. Although the decisions of the faculty-in-exile will not be binding on the BMQA, the law requires the BMQA to hold public hearings with presentation of "substantial evidence" if it is not willing to accept the faculty-in-exile's recommendations.

Difficulties Take Emotional Toll on Refugee Physicians Refugees typically experience trauma and uncertainty, but the refugee physician often faces staggering losses of status and frequently finds more barriers to resuming his former profession than others.

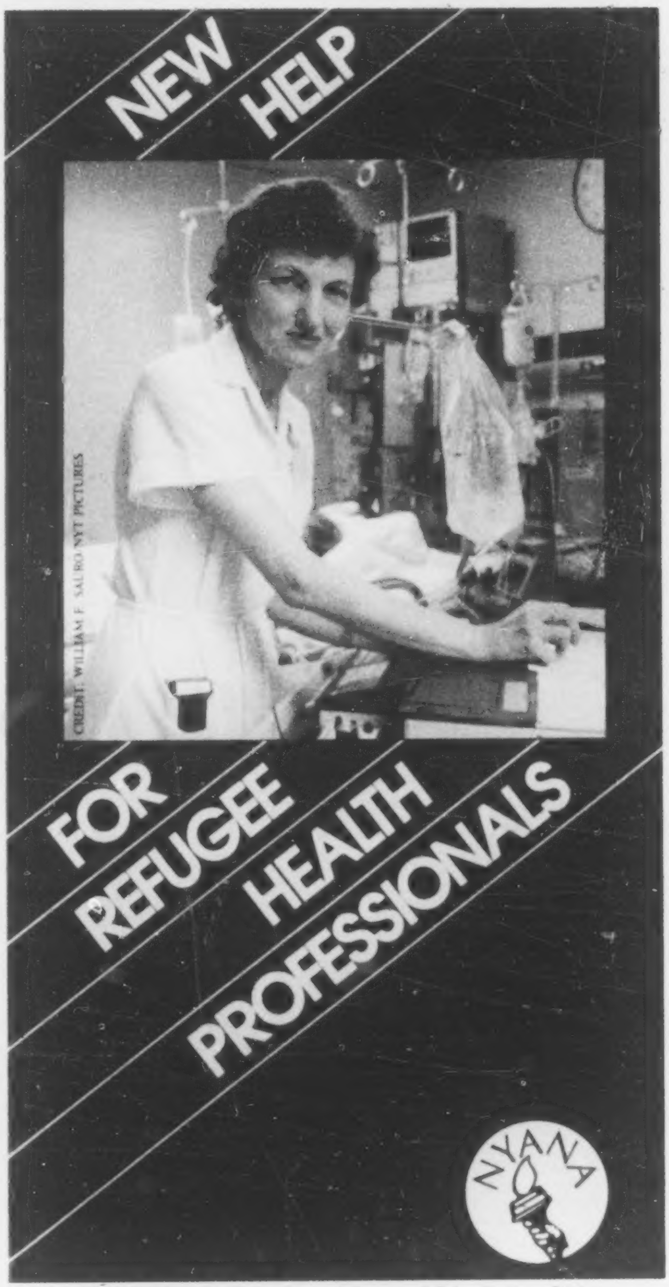
At a recent conference sponsored by the New York Association of New Americans (NYANA) and the U.S. Public Health Service, "The Refugee Physician: In Search of Solutions," this problem was raised again and again. One speaker, Tran Minh Tung, M.D., a Vietnamese refugee, said, "When we fled, we knew there would be a price to pay, but we often overlooked other problems within ourselves that slow our progress and impede our efforts without our even being aware of it."

Tung said that oftentimes the memory of what once was paralyzes the refugee physician. "It's as if the mind goes blank. We can't focus on the present. We see ourselves as sluggish and ineffectual. This makes us feel even more anxious, that we are losing our minds, getting old, that we will never reach our goal."

Roger Lum, Ph.D., executive director of Asian Community Health Services in Oakland, California, spoke of a study his organization conducted on 76 refugee physicians, three-quarters of whom were Southeast Asians. Half of the respondents were unemployed at the time of the study. Eight percent of those employed were working as unskilled laborers.

"We found one-third of them to exhibit clinical evidence of depression," said Lum. "The indignities of unemployment and underemployment, the role reversals with their spouses and children, and repeated failure of qualifying exams" all contribute to the poor mental health of many refugee physicians, according to Lum.

Lum's study did, however, indicate that the problem is not insoluble. More than half of the respondents in his study said that they would consider allied health careers, and another third said they would consider jobs outside the health field.


NEW HELP
FOR REFUGEE HEALTH PROFESSIONALS
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NYANA

Program Retrains Refugee Doctors in Related Health Fields Recognizing that it is likely to become increasingly difficult for refugee physicians to overcome the many obstacles to resuming their medical practices in the United States, NYANA has started an Allied Health Training Program to redirect refugee physicians into new health careers. Retraining is currently being offered in respiratory therapy, occupational and physical therapy, ultra-sound and medical lab technology, and medical records administration. The programs vary in length from six months to two years.

Linda Grenis, program coordinator, said that getting doctors to accept the program in itself is a long process. "Most still want to practice medicine in the U.S., but have failed exams or not been able to get residency placements." But, she said, the circumstances they are in sometimes forces them to explore more realistic goals. "In many cases, they are desperate, on welfare, and have not been able to do anything."

NYANA does extensive counseling, aware of the loss of status and humiliation many refugee physicians feel. "We encourage doctors to look at the alternatives, to compromise in certain areas," said Grenis. For example, NYANA counsels its clients not to refer to themselves as "doctor".

Grenis is optimistic about the opportunities for refugee physicians willing to retrain in allied health professions. "As medical care becomes more specialized," she said, "allied occupations are becoming a more important component of health care."

Her optimism is shared by Tensaye Aynalem, M.D., a refugee from Ethiopia enrolled in the program and studying to be a physician's assistant. Aynalem works as a waitress to make ends meet while she's studying. "It is better to take this opportunity" rather than wait for a residency, she said. "Otherwise you would get too frustrated."

Aynalem tells other refugee physicians, "You will forget medicine easily if you don't practice it." While her dream of resuming the practice of medicine as a physician may not be realized, Aynalem looks forward to continuing to heal the sick as a physician's assistant.

Update

° On December 10, Monsignor Nicholas DiMarzio, director of Migration and Refugee Services (MRS) of the U.S. Catholic Conference, met with the Cuban Interests Section in Washington, D.C. to request permission to emigrate for 975 political and ex-political prisoners in Cuba.

Except for 28 long-term prisoners--plantados--the names on the list have not previously been presented to the Cuban government, according to MRS. The list includes many women prisoners, as well as some younger political prisoners.

In a letter to the U.S. State Department, DiMarzio said, "Although many of these individuals have served less than ten years in prison [the current cut-off point for U.S. refugee processing], I am hopeful that the United States will allow them to emigrate." He added, "In light of the recently resumed immigration agreement, I trust that the people on this list will be more easily available for processing to the United States."

° The FBI began reviewing the detention status of 2,100 Cubans at six federal detention centers on January 4 to determine each inmate's level of involvement in the rioting and hostage takeovers at the federal detention center in Oakdale, Louisiana and at the Atlanta Federal Penitentiary. The rioting followed the announcement of a resumption of an immigration agreement with Cuba that would involve returning 2,546 excludable aliens to Cuba.

In a related development, the Justice Department published in the December 28 Federal Register details of its Repatriation Review Program for Cubans who arrived in the 1980 Mariel boatlift. The reviews will determine which of the 7,600 excludable Cuban aliens in detention should be paroled or repatriated to Cuba.

The review process came about as a way of bringing the hostage takeovers to an end, when Attorney General Edwin Meese III declared a moratorium on deportations and promised "full, fair, and equitable review within the laws of the United States."

The Federal Register notice details the composition of the review panels and the process for review. It states, "The enforcement branch of the Immigration and Naturalization Service will select cases from among those on the repatriation list based principally on criminal activity. The focus at the outset will be on those cases where the alien is ineligible for relief or where the alien is volunteering to return to Cuba."

U.S. REFUGEE AND ASYLUM PROGRAMS AND POLICIES; A 1987 CHRONOLOGY

The following is a chronology of U.S. program, policy, and legislative decisions affecting refugees and asylum seekers during 1987.

January 5: The Department of State and the Department of Health and Human Services submit proposed refugee program budgets for FY 88 based on an estimated admissions of 55,000 refugees. State Department asks for $314 million, down from $347 million in FY 87. The Office of Refugee Resettlement in DHHS proposes an FY 88 budget of $253 million, a reduction of $87 million from the previous year.

March 9: The Supreme Court rules, 6 to 3, that the correct standard for asylum eligibility in the United States is a "well-founded fear of persecution." In Immigration and Naturalization Service v. Cardoza-Fonseca, the court holds that INS was wrong in applying the more restrictive "clear probability of persecution" standard in asylum cases, when it should be limited to cases involving the withholding of deportation.

March 10: INS begins accepting applications from Cuban and Haitian "entrants" wishing to adjust their status to lawful permanent resident. INS estimates that between 40,000 and 50,000 people, nearly all of them Haitian, may be eligible to adjust.

April 7: Attorney General Edwin Meese announces that a new Asylum Policy and Review Unit has been set up within the Justice Department. The office is to have several functions, including analysis of human rights conditions in various countries, review of certain INS and Board of Immigration Appeals (BIA) asylum decisions, and training of INS personnel.

May 1: INS publishes its final rules for implementing the legalization program as mandated by the Immigration Reform and Control Act of 1986, passed the previous November.

May 5: The one-year legalization program begins, with applications anticipated from 2 to 3.9 million undocumented aliens. INS officials say that they expect to approve about 85 percent of the applications they accept as complete and "non-frivolous." In order to qualify for temporary resident status, applicants must present evidence that they have been living continuously in the United States in an unlawful status since January 1, 1982.

May 14: ORR announces that it will allocate about $58 million to states for providing social services to refugees and Cuban/Haitian entrants in FY 87.

May 15: The Reagan administration rejects a direct appeal from El Salvador's President Jose Napoleon Duarte not to deport Salvadorans in the United States back to El Salvador.

June 8: The Public Health Service publishes a final rule identifying AIDS (acquired immune deficiency syndrome) as a "dangerous contagious disease." As such, refugees, immigrants, and applicants for permanent status become inadmissible to the United States if they are diagnosed as having AIDS.

June 12: The BIA, which has jurisdiction to hear appeals on asylum and deportation cases from immigration judges and INS district directors, reformulates its test for "well-founded fear of persecution," in light of the Cardoza-Fonseca decision. According to the BIA, "an applicant for asylum has established a well-founded fear if he shows that a reasonable person in his circumstances would fear persecution...even where its likelihood is significantly less than clearly probable."

June 30: The Reagan administration announces transfers in FY 87 regional refugee admissions numbers at midyear consultations with Congress. The Africa ceiling drops from 3,500 to 2,000 and Latin America from 4,000 to 1,000. The ceiling for Eastern Europe and the Soviet Union increases from 10,000 to 12,300, and the Near East/South Asia ceiling from 8,000 to 10,200. The worldwide ceiling remains at 70,000.

July 8: Attorney General Edwin Meese

announces that Nicaraguans in the United States with a well-founded fear of persecution would not be deported, and encourages Nicaraguans whose asylum claims have been denied to reapply.

July 13: Rep. Romano L. Mazzoli (D-Ky.), chairman of the House subcommittee on refugees, immigration, and international law, introduces a "temporary safe haven" bill that would specify grounds for granting extended voluntary departure (EVD) status. According to the bill, H.R. 2922, aliens could be authorized to remain temporarily if they meet any of three criteria: 1) physical danger due to armed conflict; 2) environmental disaster; or 3) U.S. national interest, taking into account international, humanitarian, and immigration concerns.

July 28: By a vote of 237 to 181, the House of Representatives passes the Moakley-DeConcini bill, which would suspend deportation of Salvadorans and Nicaraguans for two years following enactment, pending a study by the General Accounting Office on whether these groups would face persecution if returned home.

August 4: The U.S. Coast Guard stops a boat bound for Florida carrying 339 Haitians, the largest number ever intercepted on a single boat. The group is returned to Haiti as part of the Haitian Migrant Interdiction Operation, which, since 1981, has repatriated over 12,000 Haitians to their homeland.

August 28: The Department of Justice proposes new regulations that would remove immigration judges from decisions on asylum applications and, instead, place authority in the hands of INS "asylum officers," who would hold "nonadversarial hearings" for asylum seekers.

Justice Dept. officials announce in October that they are withdrawing the proposal, but will publish revised changes sometime later.

September 23: House Judiciary Committee holds annual consultations on U.S. refugee admissions for FY 88. The Reagan administration proposes an FY 88 worldwide refugee ceiling of 72,500, which would include an unallocated and unfunded reserve of 4,000.

October 15: The INS publishes proposed new policies on the detention of undocumented minors. The proposal defines "juveniles" as aliens under the age of 18 and creates a new position of "Juvenile Coordinator" in the INS central office responsible for placing children "for whom detention is determined to be necessary" in appropriate juvenile facilities. It is estimated that about 10,000 children are held in INS detention in the course of a year, with between 150 and 200 held on any given day.

November 20: The State Department announces the revival of a 1984 migration agreement with Cuba, under which Cuba agreed to take back 2,764 "excludable" Cubans, some of them convicted criminals and mental patients, who had come to the United States in the 1980 Mariel boatlift. In return, the United States agreed to admit up to 3,000 Cuban political prisoners and 20,000 regular immigrants each year.

November 21-22: Reacting to the news of the revived migration agreement and the renewed possibility of deportation, over 1,000 Cuban detainees at a federal detention center in Oakdale, Louisiana take control of the institution, setting fires and seizing 28 hostages.

November 23: At a federal prison in Atlanta, 1,300 Cuban detainees riot, taking 94 hostages. One detainee is killed, and fires erupt in three prison buildings. Attorney General Edwin Meese offers the Atlanta and Oakdale groups a moratorium on deportations and promises a "full, fair, and equitable" review of cases.

November 29: Cuban detainees in Oakdale release their hostages and surrender to authorities. Atlanta detainees follow suit five days later.

December 12: The administration outlines its review plan for 7,600 Cuban detainees in the United States.

December 22: President Reagan signs into law the Continuing Resolution for FY 1988, and the State Department authorization bill. (see Recent Developments)

The notice says that aliens may seek the assistance of counsel, but not at government expense. It also states that "The decision to repatriate is final and subject to no further review." Critics of the government's review process charge that the role of counsel is vague and at the discretion of panel itself.

° Extended Voluntary Departure (EVD), a temporary stay of deportation granted at the discretion of the Attorney General, has been further extended until December 31, 1988 for Polish nationals in the United States as of July 21, 1984. In March, members of this group will also be eligible to adjust their status to become temporary residents (see Recent Developments).

° The State Department has increased the first quarter FY 88 allocation for processing of Soviet refugees from 2,800 to 3,600 and of Visa 93 admissions from the Soviet Union from 620 to 650, for an increase of 800 and 30 places respectively.

A total of 8,155 exit permits were granted to Soviet Jews in 1987, a dramatic increase over the 914 exit permits issued in 1986.

° In a Christmas gesture, 24 children under detention by the Immigration and Naturalization Service (INS) were released by Harold Ezell, the INS Western regional commissioner. The release of the children at a December 23 press conference, complete with an INS officer dressed as Santa Claus, was noteworthy because they were released to the custody of Los Angeles Archbishop Roger M. Mahony--the first time that a group of minors has been released to someone other than their parents in the INS Western Region (see Refugee Reports, Vol. VIII, No. 11).

The children, most of whom are Central Americans, were released without posting the usual $2,000 bond. After the press conference with the INS, the children were led to the Our Lady Queen of Angels Church, where they were reunited with relatives or taken in by voluntary host families, according to the Los Angeles Times. The Times quoted Ezell as saying that the arrangement with the church is not envisioned as a one-time event, but rather as the beginning of an "ongoing program."

° In what a variety of sources have called an unusual agreement, Sen. Alan K. Simpson (R-Wyo.) has agreed not to block efforts to bring the Moakley/DeConcini bill to the Senate floor for consideration early in the second session of the 100th Congress. In return, Sen. Dennis DeConcini (D-Ariz.) dropped his attempt in late December to attach his bill as an amendment to the Continuing Resolution for FY 88. The legislation, which passed the House of Representatives on July 28, would provide a two-year halt on the deportation of Salvadorans and Nicaraguans in the United States, pending a report from the General Accounting Office on human rights conditions in their homelands.

° About 4,000 unregistered Hmong living in or around Ban Vinai camp in northeastern Thailand have been relocated to another hilltribe camp, Chiang Kham, where they will be screened for refugee status, according to a December 29 report in The Nation, an English-language newspaper published in Bangkok. The governor of Loei province, where Ban Vinai is located, was quoted as saying that an additional 5,000 Hmong would be moved in the first 10 days of January.

On December 2, the Thai National Security Council agreed to allow access to the screening program for all Hmong who entered Thailand illegally, including "about 8,000 to 10,000 illegals in and around Ban Vinai, the Nam Pun group, about 154 detained at Pak Chom police station, and about 37 at Nongkhai who had been ordered deported by the provincial court," according to a statement from the Thai Embassy in Washington, D.C.

Recent Developments

CONGRESS PASSES A VARIETY OF REFUGEE-RELATED LEGISLATION

On December 22, President Reagan signed into law two separate bills, one of which funds U.S. refugee programs in FY 88 at budget levels almost identical to FY 87, despite an overall reduction in the federal deficit of $33.2 billion. The bills contain a series of amendments that, variously, adjust the status of about 10,000 Poles, Afghans, Ethiopians, and Ugandans in the United States; call for continued Indochinese refugee protection and resettlement; expedite admissions of Vietnamese Amerasians; amend exclusionary criteria for foreigners seeking U.S. visas; and provide for the processing of certain Cuban political prisoners as refugees.

After passing four consecutive short-term government funding bills since October 1, the beginning of FY 88, Congress finally passed a $598 billion appropriations bill on December 21. Known as the Continuing Resolution for FY 1988 (H.J. Res. 395), the bill includes eight separate appropriations bills that allocate FY 88 budgets for the federal government. Included in the measure is $346,450,000 for the Department of State to fund overseas refugee migration and assistance, and $346,933,000 for the Office of Refugee Resettlement (ORR), in the Department of Health and Human Services, to cover domestic resettlement costs. Both amounts were considerably more than the administration originally had requested.

In submitting its proposed FY 88 refugee assistance budget of $314,450,000 in January 1987, the Department of State estimated that the United States would resettle only 55,000 refugees in the coming fiscal year, down from 64,831 in FY 87. During the next nine months, an anticipated increase in migration from the Soviet Union and a resumption of the Orderly Departure Program from Vietnam were just two of the factors that contributed to a revision of FY 88 refugee admissions needs.

By September, the administration proposed, and Congress agreed to, an FY 88 admissions ceiling of 72,500, which included an unfunded, unallocated reserve of 4,000. In response to this higher ceiling, the Senate Appropriations Committee wrote in a $32 million increase over the administration's January budget request, but earmarked much of the State Department budget for refugee and migration assistance. Included in the earmarks are $114,547,500 for admissions, $25 million for refugee resettlement programs in Israel, $8 million for the construction of religious schools in France for North African Jews, $1.5 million for education programs at refugee camps in Thailand, and $5 million for the admission of Vietnamese Amerasians and their family members.

Congress Funds Targeted Assistance Programs Over ORR Objections Since 1986, ORR has proposed each year to eliminate targeted assistance programs from its budget, only to have the money reinstated by Congress. This year, Congress appropriated $34,466,000 for targeted assistance, including more than $10 million for schools and a hospital in Dade County, Florida. The targeted assistance program was first authorized in 1982 to provide supplemental federal funding to local areas with large refugee populations and high rates of public assistance.

In FY 86, ORR distributed about $48 million to 41 county areas in 21 states, with $20 million going to Florida and another $15 million to localities in California. Congress appropriated no new money for targeted assistance in FY 87, primarily since carryover funding from previous years allowed programs to continue through March 1988.

Congress also appropriated $7,659,000 in FY 88 for the voluntary agency matching grant program, up from $5.8 million in FY 87. The additional funding was provided primarily in response to an anticipated increase in refugee admissions from the Soviet Union, according to an ORR official.

Since FY 79, the federal government has provided voluntary resettlement agencies with matching funds on a dollar-for-dollar basis up to $1,000 per refugee to provide case management, job development, and job placement services. These matching funds, which supplement the $560 per capita grant to resettlement agencies for reception and placement services, have been used primarily to assist refugees from the Soviet Union, Eastern Europe, Ethiopia, and Iran. The four agencies participating in the matching grants program are the Council of Jewish Federations, the International Rescue Committee, Lutheran Immigration and Refugee Service, and the U.S. Catholic Conference Migration and Refugee Services. In FY 86, the matching fund ceiling was reduced from $1,000 to $957, following implementation of deficit-reduction legislation.

In a December 30 letter to state refugee coordinators, ORR Director Bill Gee said that, effective February 1 and for the duration of FY 88, federal reimbursement to states for refugee cash and medical assistance costs would only be provided for a refugee's first 24 months in the United States, rather than 31 months. Despite the overall ORR budget increase, the line-item for cash and medical assistance dropped from $225,316,000 in FY 87 to $207,043,000 in FY 88.

Resident Status Made Available to Groups with EVD Up to 10,000 Poles, Afghans, Ethiopians, and Ugandans currently in the United States with extended voluntary departure (EVD) status will be able to apply for temporary resident status beginning in March, under a compromise version of a bill originally introduced by Rep. William O. Lipinski (D-Ill.) and Sen. Paul Simon (D-Ill.). The original bill would have provided permanent resident status to all Polish nationals who have lived continuously in the United States under EVD status since July 21, 1984, the day martial law was lifted in Poland. EVD is a temporary nondeportation status granted at the discretion of the Attorney General.

The amended version applies to all nationalities granted EVD in the last five years who can demonstrate that they have lived continuously in the United States since July 21, 1984. It is estimated that about 7,000 Poles and 2,000 Afghans fall into this category, along with fewer than 1,000 each of Ethiopians and Ugandans. The change was recommended by members of the House Judiciary Committee to keep the measure from being specific to one ethnic group, according to a staff aide to Sen. Barbara Mikulski (D-Md.), who offered the legislation as an amendment to the State Department authorization bill in October.

In another compromise suggested by the House Judiciary Committee, EVD cases must first adjust to temporary resident status, basically following the regulations established for the Immigration Reform and Control Act of 1986, before they can apply for permanent residency.

The EVD amendment, along with those relating to Indochinese and Cubans, were attached to both the Continuing Resolution and to a State Department authorization bill, H.R. 1777.

Hatfield's Indochinese Bill Undergoes Changes The Indochinese Refugee Resettlement and Protection Act of 1987, first introduced in March 1987 by Sen. Mark O. Hatfield (R-Ore.) and cosponsored in the House of Representatives by Rep. Chester Atkins (D-Mass.), expresses the sense of Congress that "the United States should continue its commitment to an ongoing, generous admission and protection program for Indochinese refugees."

The version of the bill included in the Continuing Resolution also expresses the sense of the Senate only that, for each of the next three fiscal years, the United States should admit at least 28,000 Indochinese refugees from first-asylum camps and an additional 8,500 Vietnamese via the Orderly Departure Program. In a conference committee to reconcile the House and Senate versions of the State Department authorization bill, House conferees would not agree to endorse specific admissions numbers for future fiscal years.

The Indochinese amendment, Section 802 of the Continuing Resolution, also requires the President to submit a report to Congress within 180 days of the bill's enactment "on the respective roles of the Immigration and Naturalization Service and the Department of State in the refugee program with recommendations for improving the effectiveness and efficiency of the program." In a report accompanying the State-Justice-Commerce appropriations bill, which was folded into the Continuing Resolution, the Senate Judiciary Committee wrote that "In recent years...INS has come under increasing attack for allegedly arbitrary processing of refugees--particularly Indochinese refugees."

Processing of Cuban Political Prisoners and Immigrants Section 702 of the FY 88 Continuing Resolution requires Department of State consular officers and INS officers to process as a refugee "any Cuban national who was imprisoned for political reasons by the government of Cuba on or after January 1, 1959, without regard to the duration of such imprisonment." Prior to reinstatement of migration agreements with Cuba on November 20, 1987, the State Department had been limiting processing of Cuban political prisoners to those who had been incarcerated at least 10 years.

Vietnamese Amerasians Can Be Admitted with Immigrant Visas, Refugee Benefits Amerasians who were born in Vietnam after January 1, 1962 and before January 1, 1976, and who can establish that their fathers were American citizens, are eligible for the next two years to enter the United States with immigrant visas and refugee benefits, following passage of the Amerasian Homecoming Act. Originally introduced by Rep. Robert Mrazek (D-N.Y.), the bill was included as an amendment to the Continuing Resolution.

A State Department official declined to comment on the legislation, but suggested that the Mrazek bill was unnecessary since, the official told Refugee Reports, "the Amerasian program is working" within the context of the Orderly Departure Program. As of November 1987, 3,880 Amerasians and 5,605 accompanying family members have entered the United States through ODP. Another 65 Amerasians arrived on December 31 and, with over 1,500 new applicants interviewed since last September, the official said that a planeload of Amerasians should be leaving Vietnam every month this year.

State Department Authorization Bill Temporarily Amends McCarran-Walter Act Under Section 901 of the Foreign Relations Authorization Act for FY 88 and FY 89, the U.S. government is temporarily prohibited from deporting, excluding, or denying visas to aliens based solely on "beliefs, statements, or associations which, if engaged in by a U.S. citizen in the United States, would be protected under the Constitution." The bill, a modified version of legislation first introduced by Sen. Daniel Patrick Moynihan (D-N.Y.) and Rep. Barney Frank (D-Mass.), temporarily repeals those sections of the McCarran-Walter Act of 1952, which have permitted the government to bar the admission of foreigners on various grounds, including political beliefs, polygamy, "sexual deviation," and insanity.

In a conference report accompanying the authorization bill, congressional conferees noted that "During the past 35 years, a large number of well-known foreign politicians, authors, academicians, journalists, and artists, as well as thousands of ordinary citizens from foreign countries have been barred from entering this country, [or] forced to undergo the indignity of answering embarrassing questions about their political or personal activities."

Visas submitted between January 1, 1988 and February 28, 1989 will be covered by the new law, which only removes ideology as grounds for exclusion or deportation under the McCarran-Walter Act. The conference report promised that more "comprehensive legislation revising these grounds [for exclusion and deportation] will be acted upon...early in the second session of the 100th Congress," which began January 25.

Senate Committee Calls for More Accountability in Refugee Programs In two separate reports, the Senate Appropriations Committee directed the administration to improve its reporting on refugee admissions programs as well as overseas relief and assistance. In a report to accompany the State-Justice-Commerce appropriations bill, later attached to the Continuing Resolution, the Senate committee requested that the INS submit "quarterly reports on refugee approvals and rejections worldwide, broken down by country of origin and by refugee category (P1-P6), so that the Committee can best monitor whether dollars appropriated to implement the requirements of the Refugee Act of 1980 are being efficiently expended." INS was also directed to submit reports on the number of refugees it expected to process in each quarter of FY 88, broken down by region and by ethnic group.

In another report accompanying the foreign assistance appropriations bill, the Senate Appropriations Committee called for reports from the Department of State on refugee protection in Thailand and French Guiana. By January 31, the State Department must submit a report on the status of new night patrol programs in Cambodian refugee camps along the Thai-Cambodian border, particularly Site 2. The State Department also was asked to submit a report on the status of Surinamese refugees in French Guiana. The committee expressed concern about "the lack of a UNHCR [UN High Commissioner for Refugees] presence to provide necessary protection to these refugees."

Projects and Programs

This month's program selections highlight projects to help refugee physicians adjust to changed circumstances in the United States. For more information about the Allied Health Training Program of the New

York Association for New Americans (NYANA) that is discussed in the lead story, contact Linda Grenis, Allied Health Coordinator, NYANA, 225 Park Avenue South, New York, NY 10003. (212) 674-7400.

PROGRAM LOCATES RESEARCH OPPORTUNITIES FOR FOREIGN-EDUCATED DOCTORS

Finding qualifying examinations, residency program placements, and licensing requirements to be near insurmountable obstacles to practicing medicine in the United States, many refugee physicians are seeking alternatives.

To help those with an interest in medical research, the National Medical Researcher Matching Program, Inc. (NMRMP) serves as a bridge between the refugee physician and research institutions seeking post-doctoral research candidates.

For a $220 application fee, NMRMP supplies the applicant with a computer-generated list of ten position openings per month for a four-month period. The positions are selected on the basis of the applicant's subject choices and geographical preferences. NMRMP is a for-profit information service; the program cannot guarantee employment, and it advises applicants that research experience may not be used to satisfy post-graduate training requirements for licensure.

However, medical research can serve either as an alternative career, or as a way of keeping involved in the field of medicine until clinical opportunities arise.

Jean K. Swanke, NMRMP's executive secretary, said, "Due to the limited number of clinical positions available in the United States, many of the foreign medical graduates who are eligible for our program have not been accepted by a clinic, and their hopes of practicing medicine or gaining additional experience have been forestalled indefinitely, or abandoned." Swanke said, "We feel certain that our program offers new hope to those eligible individuals who are currently frustrated in their efforts to apply their medical training."

For more information about NMRMP, write to 1109 Maine St., Suite C, Boise, Idaho 83702, or call (208) 336-7387.

AGENCY EVALUATES REFUGEE ACADEMIC CREDENTIALS

Many potential employers, schools, and professional licensing boards have difficulty in assessing the educational qualifications of refugees.

As a result of their traumatic experiences and their flight, many refugees have incomplete records. For many, their home countries are unwilling to cooperate by sending documents attesting to educational achievement (see lead story).

Educational Credential Evaluators is a nonprofit agency that assists refugees by evaluating available credentials and interpreting them for U.S. employers, schools, and licensing boards.

Evaluating incomplete records is often challenging. James Frey, executive director, said that even limited documentation, such as an ID card or letter, can be used to trace academic achievement. "For example," he said, "a letter of appointment as a teacher can be used to reconstruct the teacher training program which was required for entry to the teaching position. An identification card showing official status as a third-year university student can be used to reconstruct educational credentials for secondary school and the first two years of university work."

Frey said, "Our evaluation reports identify the U.S. equivalents of foreign educational credentials." A general report of this type, identifying credentials and their U.S. equivalents, is available to the refugee for a $55 fee, and is usually sufficient for those seeking employment or admission to academic programs.

A more detailed report, available for an $85 fee, is recommended for those seeking licensure in health-related fields.

For further information, contact Educational Credential Evaluators, Inc., P.O. Box 17499, Milwaukee, WI 53217. (414) 964-0477.

Meetings and Conferences

The International Counseling Center, a private, nonprofit organization, and George Washington University (GWU) are co-sponsoring a conference on "Crossing Cultures in

Mental Health: Special Populations/Special Issues" on May 24-25, 1988 at GWU in Washington, D.C.

The conference will include lectures, workshops, and exhibits addressing effective programs and treatment techniques currently in use across the nation. Topics addressed in the context of ethnic and racial minorities will include: families in transition, AIDS, Post Traumatic Stress Disorder, and provision and utilization of service.

For further information, contact the International Counseling Center, 2121 Wisconsin Avenue, NW, Suite 220, Washington, DC 20007. (202) 333-5452.

Reader Exchange

Copies of Vietnamese Americans: Patterns of Resettlement and Socioeconomic Adaptation in the United States, by Darrel Montero, are available free-of-charge because of a foundation grant. For a copy, write Darrel Montero, Associate Professor, School of Social Work, Arizona State University, Tempe, AZ 85281.

Resources

A JOURNALIST AMONG THE AFGHANS

A journalist for the New York Times, Arthur Bonner, spent most of 1985 and 1986 and part of 1987 in Afghanistan and Pakistan writing about the war and its effects on the Afghan people.

Among the Afghans covers the war both within Afghanistan itself and among the refugees of Pakistan. Bonner observes that sanitary conditions are poor in many of Pakistan's 350 refugee camps, most of which have been set up on barren wasteland. As a consequence, many refugees fall prey to disease.

Bonner pays particular attention to the the problems of refugee women in Pakistan. The overwhelming majority, he finds, suffer from depression and other mental illnesses. It is especially difficult for Afghan women brought up under the purdah system to adjust to conditions in refugee camps. Under that cultural system, women are not allowed to be seen by males who are not family members. "In Afghanistan," Bonner writes, "even the poorest family will have several rooms in a walled compound, so that a woman can wander around and sit in the sun.... There is a secluded place by a stream to wash clothes and enjoy the company of other women. Above all, there are men to protect and comfort her and to buy food from the bazaar or deal with tradesmen."

In the camps, however, most women are confined to a stifling hut, where they sit alone. Husbands or fathers may be off fighting in Afghanistan, or dead.

Women's health care is frequently neglected because women are not supposed to be examined by male health workers. Bonner quotes one of the few western female nurses volunteering to work in the camps as saying, "It's of epidemic proportions, what's going on with women. It's like the women are a forgotten culture."

The 366-page clothbound book is available for $27.95 from Duke University Press, 6697 College Station, Durham, NC 27708.

BRITISH REFUGEE COUNCIL LOOKS AT AFGHAN REFUGEES

The British Refugee Council has recently published a 27-page booklet giving an overview of the destruction of a way of life in Afghanistan and of the situation for refugees and displaced persons since the military coup of 1978 and Soviet occupation.

The war, the report charges, is leading to the disintegration of Afghan society. "Exile from the home area, separation from the land, and the break-up of families and communities as a result of the war are destroying these traditional bases of Afghan identity."

Among the recommendations in the report, the authors call for the UN High Commissioner for Refugees to investigate the nonregistration of new arrivals in Pakistan. The report also recommends that assistance for Afghan refugees should address not only their immediate needs but also be directed toward development programs that would help them to preserve and develop their society and culture.

For further information, contact the British Refugee Council, Bondway House 3/9, Bondway, London SW8 1SJ, U.K.

FY 87 REFUGEE ARRIVALS BY STATE

STATE	YTD FY 87	STATE	YTD FY87
ALABAMA	150	NEW JERSEY	1,097
ALASKA	15	NEW MEXICO	176
ARIZONA	798	NEW YORK	5,461
ARKANSAS	198	NORTH CAROLINA	626
CALIFORNIA	25,493	NORTH DAKOTA	34
COLORADO	797	OHIO	776
CONNECTICUT	770	OKLAHOMA	289
DELAWARE	21	OREGON	783
DIST. OF COLUMBIA	383	PENNSYLVANIA	1,513
FLORIDA	1,311	RHODE ISLAND	380
GEORGIA	1,025	SOUTH CAROLINA	70
HAWAII	416	SOUTH DAKOTA	98
IDAHO	88	TENNESSEE	565
ILLINOIS	2,237	TEXAS	3,522
INDIANA	133	UTAH	568
IOWA	435	VERMONT	74
KANSAS	506	VIRGINIA	1,490
KENTUCKY	249	WASHINGTON	2,228
LOUISIANA	440	WEST VIRGINIA	7
MAINE	141	WISCONSIN	1,435
MARYLAND	942	WYOMING	4
MASSACHUSETTS	1,862	AMERICAN SAMOA	0
MICHIGAN	1,204	GUAM	0
MINNESOTA	2,206	JOHNSON ATOLL	0
MISSISSIPPI	90	NO. MARIANNA ISLANDS	0
MISSOURI	682	MIDWAY ISLANDS	2
MONTANA	72	PUERTO RICO	0
NEBRASKA	234	TRUST TERRITORIES	0
NEVADA	289	VIRGIN ISLANDS	0
NEW HAMPSHIRE	59	WAKE ISLANDS	0
		UNKNOWN	27
		TOTAL YTD FY 87	64,471

Source: Office of Refugee Resettlement.
Note: For cumulative arrivals by state and country of citizenship since FY 83, see Refugee Reports, Vol. 8, No. 12.

REFUGEE REPORTS is published monthly for $28.00 per year for one subscription, $20.00 each for two or more subscriptions to the same addressee, or $20.00 each for ten or more subscriptions requested at the same time, mailed to separate addresses; overseas postage, $24.00 additional; by ACNS, 95 Madison Avenue, Third Floor, New York, NY 10016. Second Class Postage paid at New York and additional mailing offices. POSTMASTER: send address changes to *Refugee Reports*, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204.

Editorial comments and inquiries should be sent to: *Refugee Reports*, 815 Fifteenth Street NW, Suite 610, Washington, DC 20005. All communications regarding subscriptions should be sent to: Refugee Reports Subscriptions, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204. (615) 377-3322.

Basic subscription rate for 12 issues per year: $28.00; Multiple-copy rate: $20.00; Single copies of back issues: $2.50.
Editor: Virginia Hamilton; Staff Writers: Bill Frelick, Court Robinson
Production Coordinator: Koula Papanicolas.
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Refugee Reports

A Project of the American Council
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Volume IX, Number 2 February 26, 1988

[Refugee Reports staff writer Court Robinson returned this week from Thailand, where he was part of a U.S. Committee for Refugees team dispatched to investigate the serious threat to Indochinese asylum seekers there. This article provides an account of events during the last few weeks in the country. Next month, part two of the article will provide an analysis of the policies which led to the crisis, and of attempts to bring it to an end.]

VIETNAMESE REFUGEES IN THAILAND FACE FIRST-ASYLUM CRISIS

The warning signs were clear. Vietnamese refugee boat arrivals in Thailand jumped from 3,900 in 1986 to nearly 12,000 in 1987. Seventy percent of the new arrivals came by way of a relatively safe route overland partway through Cambodia followed by a short boat ride from the port of Kompong Som to the east coast of Thailand. Particularly disturbing to Thai officials was the fact that well-organized smuggling operations were dropping the Vietnamese on Thailand's eastern beaches for fees averaging $1,500 per person.

East coast boat arrivals were 1,351 in November, 1,591 in December, and climbed to over 2,000 in January, according to UN figures. Then, Thailand's long-standing patience and generosity, which have enabled them to grant refuge to nearly one million Indochinese refugees in the last 12 years, seemed to collapse.

On January 27, a boat carrying 40 Vietnamese asylum seekers was forced back into international waters by Marine Police in Thailand's easternmost province of Trat. The next day, the Minister of the Interior (MOI) announced that all Vietnamese boats heading toward Thailand would be pushed back to sea. In the month that followed, more than 550 people were pushed back in at least nine separate incidents in the east, more than 100 people died, and another 530 were left stranded without adequate food, water, and shelter on several islands off the coast of Trat.

Thailand has since announced that Vietnamese reaching Thai territory will no longer be forced back and that assistance will be provided to the island group, pending a transfer to the mainland. But, it appears that first-asylum conditions for new Vietnamese

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arrivals will be greatly restricted, and the maintenance of a naval blockade along Thailand's eastern maritime border raises fears that, though the worst may be over, lives are still at risk.

__Pushbacks Begin__ The origins of the Vietnamese first-asylum crisis can be traced to many factors beyond the tripling of boat arrivals. "Thailand is feeling besieged on all of its borders," said one U.S. Embassy official in mid-February, citing Muslim extremists and communist insurgents on the Malaysian border, hilltribe refugee groups on the Burmese border, a bloody two-month border dispute with Laos, and 280,000 "displaced persons" on the Cambodian border. "Xenophobia is increasing," he said.

But observers say the fuse on Thailand's pushback policy was first lit on December 27, when Interior Minister Prachuap Suntharangkun visited Phanat Nikhom refugee processing center in Chonburi Province, and found the camp crowded with more than 15,000 Vietnamese. Reports on the smuggling networks appeared to implicate some local officials in Trat Province.

The scope of the Ministry of the Interior (MOI) investigation broadened with visits to Ban Vinai, a refugee camp near the Laotian border housing nearly 40,000 Hmong, an ethnic group from the highlands of Laos. On January 6, the secretary-general of the National Security Council, Suwit Suthanakun, announced that smuggling of Vietnamese and Hmong had become a major security problem. "It is therefore necessary," he said, "for Thailand to arrest these illegal immigrants and send them back to their homeland, the same way the United States is doing with Mexicans."

Although no specific new actions were taken to deter Hmong arrivals, on January 17, a blockade of Navy and Marine Police boats was set up along the 30-mile-long maritime border between Thailand and Cambodia, stretching from Ban Hat Lek on the mainland to the southeastern tip of Kut Island.

It is not known how many boats were turned back to Cambodia, but Vietnamese continued to arrive in Thailand. The UN High Commissioner for Refugees (UNHCR) counted about 1,600 people in beach shelters in the neighboring provinces of Trat and Chantaburi as January drew to a close. If it was determined that these people had come by way of Cambodia, MOI later announced, they would be considered "land Vietnamese" and sent to Site 2 in Prachinburi Province on the Thai-Cambodian border, already home to more than 3,000 Vietnamese who had made the journey from Vietnam entirely by land.

Thai and U.S. government sources agree that the MOI acted independently in pushing back the first boatload of Vietnamese on January 27, but press editorials and public response were strongly supportive of the initiative. "When the majority of the Thai people, members of the House of Representatives as well as the media call for tough action to stop the influx, the government simply cannot ignore them," Suwit said.

The next day, MOI Deputy Permanent Secretary Somporn Klinpongsa confirmed that any Vietnamese boat headed for Thailand and any Laotians crossing the border will be sent back. "We have to close our door," he said, "but the door may not be totally closed." Suwit told a Thai reporter that he had not been informed in advance of the MOI decision to push back the 40, and suggested that policy was still in a state of flux. "When the situation changes, there may be changes in the policy," he said, adding two days later, "Once the situation returns to normal, we may return to former methods."

__First Loss of Life is Reported__ On January 29, according to a letter of protest sent by UNHCR to Suwit, a Thai fishing trawler rammed a boat carrying 22 Vietnamese asylum seekers headed for Khlong Yai in Trat Province. Several gasoline canisters caught fire on the boat. Seven people were killed, two abducted, eight swam to shore where several were hospitalized with severe burns, and five were reported missing and presumed dead. One of the burn victims later died in the hospital.

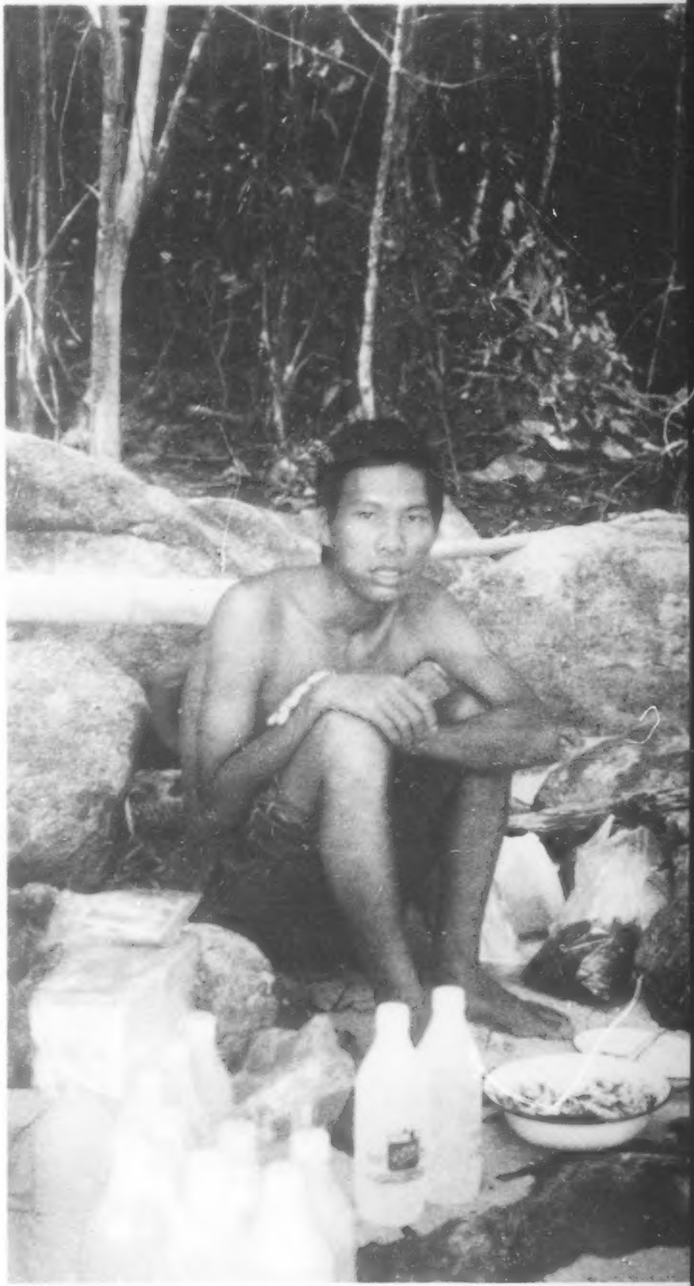
The blockade was expanded on January 31, as 50 private fishing boats were enlisted to begin patrolling the beaches in Khlong Yai District, about one mile from shore. Marine Police continued to sweep coastal waters three miles out as Navy boats cruised the deep sea. In the three days that followed, Thai newspapers documented pushbacks of at least 371 people, and on February 2, the Thai newspaper, Ban Muang, reported that around 80 bodies had washed up on the beaches near Ban Hat Lek. A Thai district official identified some of the dead as having been among groups of Vietnamese pushed back in five boats a few days earlier.

Crisis on the Islands MOI crackdowns continued on officials perceived to be either ineffective in stopping the boat influx or actually implicated in the smuggling operations. On February 4, Thongdam Banchuen, the governor of Trat, was ordered to be transferred, one day after five high-ranking officials were transferred from the province. MOI also called for the prosecution of 17 Thai racketeers in Trat for smuggling of refugees and contraband goods. One police report suggested that Thai smugglers had netted more than 70 million baht, about $2.7 million in the refugee traffic alone.

On February 8, Prachuap banned the entry of all asylum seekers into Thailand. "It is necessary to prevent the influx not only of the Indochinese immigrants, but also of other nationals because they can endanger our national security and create social problems." Despite this comprehensive ban, reports at the time still indicated no specific deterrent activities undertaken against other refugee and immigrant groups or against Vietnamese outside the east coast region.

The pushback and interdiction efforts were reducing arrivals in Trat and elsewhere on the mainland, according to MOI, although reports from relief workers and fishermen in the region indicated that there was a growing number of Vietnamese stranded on a cluster of Thai islands off the Trat coastline. On February 9, a team of relief workers visited Kut Island and counted about 280 Vietnamese in at least four separate locations. They supplied rice and dried fish to one group of 71 sheltered at a police station in a place called, ominously enough, Ao Salat, or Pirate's Bay.

In the ten days that followed, UNHCR and an informal network of relief agencies continued to sweep the more than 52 islands off Trat, locating groups and providing emergency assistance. Their work was hampered by the fact that, although local and provincial officials were aware of the refugees' presence, any formal acknowledgement of that fact might have invited MOI censure



Nguyen Trong, along with four other young men, left Vietnam by boat on February 5. Somewhere off the coast of Thailand his boat was rammed repeatedly by a fishing trawler. He swam to Rang Yai Island where he had survived for six days, fed occasionally by local Thai fishermen, when he was found on February 15 by a USCR/Embassy team. He did not know the fate of his friends.

Photo Credit: USCR/Court Robinson

A CHRONOLOGY OF THAILAND'S ASYLUM CRISIS

December 27 Thailand's Minister of the Interior, Gen. Prachuap Suntharangkun, visits Phanat Nikhom refugee processing center, housing more than 15,000 Vietnamese. He is briefed on the general smuggling operations in Trat province involving refugees and contraband goods and threatens to transfer any officials who are unable to stem the boat flows.

January 6 Secretary-General of the National Security Council, Suwit Suthanakun, asserts in a press interview that refugee smuggling, principally involving Vietnamese and Hmong, has become a major problem.

January 17 A fleet of Navy and Marine Police boats is deployed along the 30-mile-long maritime border between Thailand and Cambodia, stretching from Ban Hat Lek on the mainland to the southeastern tip of Kut Island. "The operation will sharply bring down the number of refugees landing in the province," says Thongdam Banchuen, governor of Trat Province.

January 26 Gen. Prachuap assigns MOI Deputy Permanent Secretary Somporn Klinpongsa to investigate the refugee smuggling rackets.

Marine Police intercept a trawler carrying 25 Vietnamese as it attempts to land on Kut Island. Two Cambodian smugglers are arrested and the Vietnamese are escorted to a detention center in Trat pending an investigation.

January 27 Somporn leads an interagency team to Trat Province.

Marine Police escort a boat carrying 40 Vietnamese back into Cambodian waters, 18 hours after it had arrived in Khlong Yai. Reporters are invited from Bangkok to cover the event.

January 28 MOI announces that all Vietnamese boats headed for Thailand will be pushed back to sea. Laotians crossing into Thailand will also be repatriated.

"We have to close our door," says Somporn, "but the door may not be totally closed." Editorials in several Thai newspapers all vigorously support the new policy.

The UN High Commissioner for Refugees (UNHCR) issues a statement that, "While we recognize that the government must carry out law enforcement measures, these should not compromise the humanitarian principles governing the treatment of refugees."

January 29 According to a UNHCR letter of protest sent to NSC chief Suwit, a Thai fishing trawler rams a boat carrying 22 Vietnamese off the coast of Khlong Yai, setting fire to several gasoline canisters on board. Seven are killed, two abducted, and eight manage to swim to shore, one of whom later dies in the hospital. Five are missing, presumed dead.

January 30 Fifty fishing boats are deputized to begin patrols one mile offshore from Khlong Yai district. Marine Police continue to sweep the coastline three miles out, with the Navy patrolling further out.

A total of 71 people in three boats are pushed out to sea.

February 1 Three hundred villagers stage a rally outside the district hall in Khlong Yai, demanding that Vietnamese boat people be sent back, and accusing UNHCR officials of encouraging continued inflows.

February 2 A Thai newspaper reports that more than 80 bodies of Vietnamese have washed ashore near Ban Hat Lek. A district official identifies some of the dead as being among those pushed back on five boats earlier in the week.

About 300 boat arrivals are pushed back from Khlong Yai.

MOI turns down a request by U.S. officials to open new facilities for Vietnamese refugees. "The government's policy is to reduce the number of refugee holding centers," says Somporn.

"We don't want our country to be regarded as the country of first acceptance because, in fact, the refugees could remain unattended to for 10 or even 20 years."

February 4 MOI orders the transfer of the Trat governor, one day after transferring 5 ranking police officers in the province. "Any governors or provincial officials who tolerate the influx of Vietnamese refugees will be replaced," says Prachuap.

February 5 The commissioner of the Central Intelligence Bureau announces that the Marine Police have been ordered to push back Vietnamese boat arrivals throughout the country.

Marine Police in Khlong Yai add five more vessels to the coastal patrols, bringing their total to eight.

MOI calls for the prosecution of 17 Thai racketeers in Trat for smuggling refugees and contraband goods.

The first U.S. Embassy/Joint Voluntary Agency team visits the east coast for two days.

February 8 Prachuap bans the entry of all asylum seekers into Thailand. "It is necessary to prevent the influx not only of the Indochinese immigrants but also of other nationals because they can endanger our national security and create social problems. Other nations should not interfere with our internal matters. If the U.S. government wants to give sanctuary to Vietnamese refugees, they can go ahead."

A group of 365 Vietnamese in Trat, who arrived prior to January 29, is transferred to Kamput camp in Chantaburi Province, pending relocation to Site 2.

February 9 A team of relief workers visits Kut island and counts about 280 Vietnamese in at least four locations.

About 63 Vietnamese are removed from a beach shelter at Mairut and pushed out to sea in three boats without motors. Two people reportedly try to swim back to shore and are shot.

February 11 Two groups of Vietnamese, one numbering 50 and the other 53, are pushed off from Khlong Hin in Trat Province. A U.S. Embassy team visits Chang Island and Salak Island, counting 145 people and providing assistance.

February 12 An investigative team organized by the U.S. Committee for Refugees arrives in Thailand. The team is to report to the House Subcommittee on Asian and Pacific Affairs upon its return to the U.S.

February 13 A boatload of 21 Vietnamese is pushed off from the west coast province of Prachuap Khirikhan, after having been reprovisioned with gas, food, and water.

February 15 Thai authorities report that between January 29 and February 12, 503 of the 606 Vietnamese who entered Thai waters have been pushed back. Of the others, 14 have been charged with illegal immigration and 89 are being held in detention centers pending a transfer to Site 2.

February 16 Relief workers locate 21 Vietnamese on Mak Island. A woman and her baby die in childbirth on Chang Island.

About 300 villagers gather at Khlong Yai city hall to protest the resignation of Prasert Siri, who had resigned the previous day as village headman and district official of Ban Hat Lek.

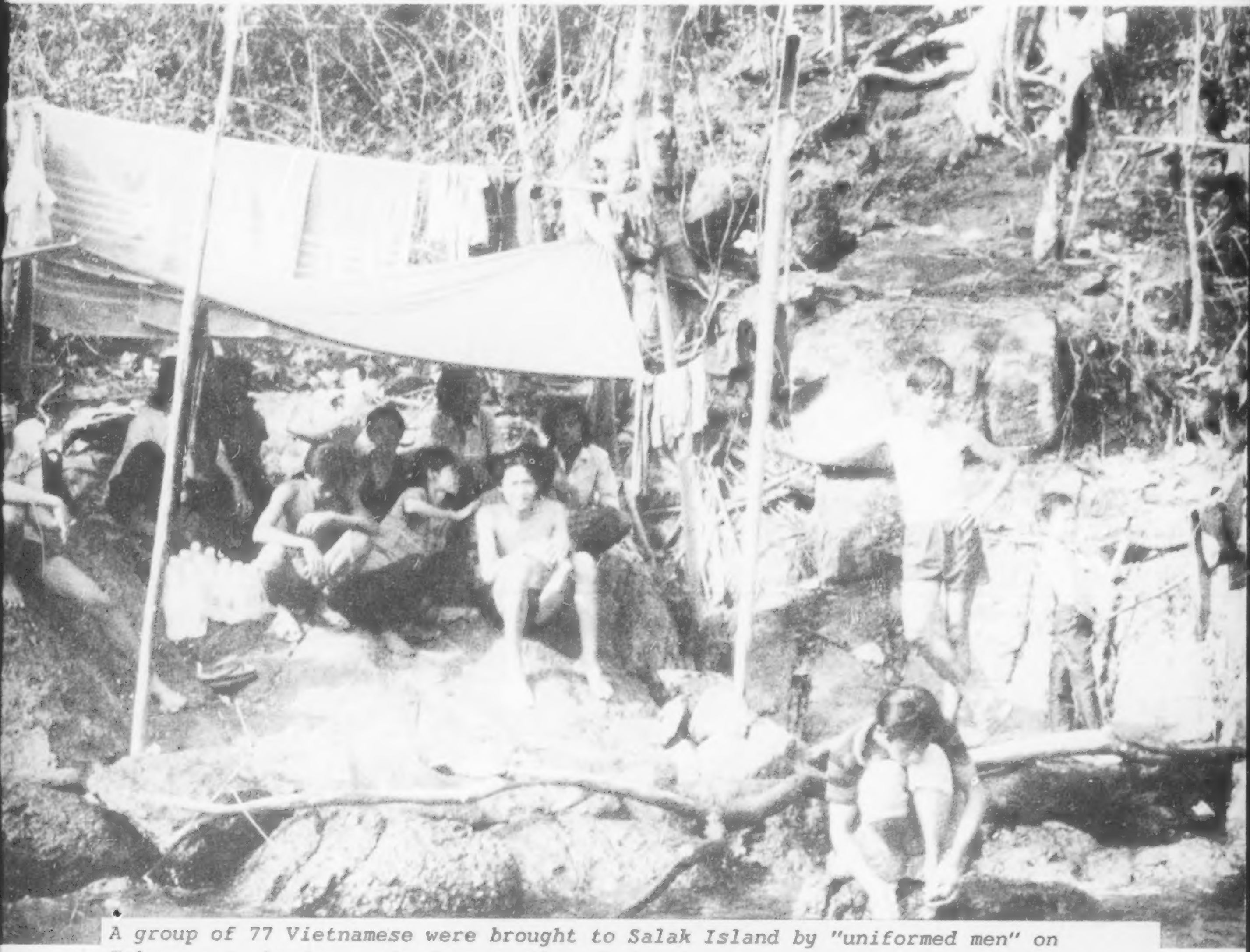
Prasert gives a speech in which he says that last year his orders were to receive all Vietnamese, "but suddenly the orders changed and we are supposed to push off refugees.... We did it a couple of times.... I was in tears. Furthermore, they ordered me to kill them. If there aren't investigations for the truth to be revealed, I will surely resign." Another 73 officials threaten to resign in sympathy.

February 19 The NSC grants UNHCR access to the islands off Trat. Assistance to the 530 people is to be provided through Thai relief agencies, and medical evacuations to mainland hospitals will be permitted.

Foreign Minister Siddhi Savetsila says that Thailand will not push back refugees who have landed, but adds, "From now on, we shall not discuss the issue with other countries and will let the UNHCR deal with our Interior Ministry."

February 21 Suwit announces that Vietnamese boat people who have arrived in Thailand since January 1 will be deprived resettlement opportunities and transferred to Site 2. "We have informed the UNHCR of our decision to move the Vietnamese to Site 2, and asked them to provide food, shelter, and other necessities."

[Editor's Note: Reports through the end of February indicated that the Thai government policy of pushbacks and of interdiction at sea continued.]



A group of 77 Vietnamese were brought to Salak Island by "uniformed men" on February 8, having arrived on another Thai island two days earlier. They had been given food. water, and medicine by local Thais and relief workers. On February 14, they were moved to Kut Island and later to Rang Yai.

The entire group had come by way of the smuggling route through Cambodia. Their leader, Dang Viet Kien, a U.S.-trained Navy lieutenant, said he had heard a Voice of America radio broadcast saying that asylum had ended in Thailand, but the local rumors were that people could still get through.

The smuggling system, with some variations, basically involves the following: Would-be escapees pay a downpayment in gold of approximately $500 per person (half that amount for children) to a Vietnamese middleman. The balance of $1,000 or more is paid to these same middlemen by friends or relatives when the escapees reach safety in Thailand. They are escorted through Cambodia by Vietnamese guides, often paying small bribes at checkpoints along the way. The basic route takes them along Highway 1 from Ho Chi Minh City (formerly Saigon) to Phnom Penh and then down Highway 4 to the port of Kompong Som where they board a shuttle boat to Thailand. The trip normally takes anywhere from several days to two weeks.

Photo Credit: USCR/Court Robinson

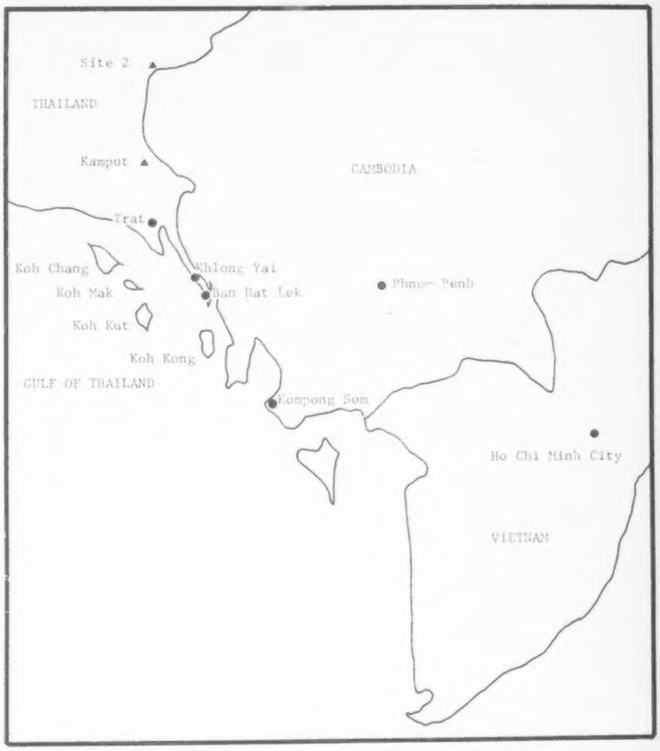
and possible pushbacks.

By February 18, a total of 520 people were receiving some form of assistance in 10 different locations. All but 113 were on Kut Island, though there were unconfirmed reports of 80 to 95 more people on Chang Island. Although the single greatest concern for the island groups was the risk of pushbacks, medical problems were growing more acute. A doctor who visited several of the groups counted 39 people, out of 172, in need of medical attention, 4 of whom required hospitalization. The doctor cited malaria, diarrhea, and dehydration as the three major problems, with sewage and sanitation of serious concern as well.

"We should not forget the stress this is placing on Thai villagers nearby," the doctor said. "They are often sharing their limited food and water supplies, they may face possible legal repercussions for this assistance, and there are medical risks as well. If the refugees get sick with malaria or cholera, this could spread to local Thais." The relief physician said that the majority of Thai villagers had been very supportive and helpful, although some felt resentment at the attention the Vietnamese were getting. "Everywhere we went, we provided health care to the local Thais, as well," she said.

On February 19, the NSC formally granted access to UNHCR to assist the island Vietnamese, and allowed for medical evacuations of individual patients pending a transfer of the entire group to the mainland. Since then, the U.S. embassy in Thailand reports that all Vietnamese on the islands, numbering 530 as of February 24, are being consolidated on the previously uninhabited island of Rang Yai, since it has a fresh water supply.

On February 21, NSC chief Suwit announced that all Vietnamese who arrived via Cambodia since the beginning of the year will be considered "land Vietnamese" and transferred to Site 2 on the Thai-Cambodian border where they will be deprived of the right to resettlement in third countries. Although he did not specify groups, it is assumed that this will include the 530 on Rang Yai Island, 1,592 people in beach shelters in Trat and Chantaburi, as well as 365 Vietnamese who were moved from Khlong Yai to Kamput camp on February 8.



"We have informed the UNHCR of our decision to move the Vietnamese to Site 2, and asked them to provide food, shelter and other necessities to them," said Suwit. He rejected a UNHCR proposal to open camps in Kap Cherng, Kamput, or Sikhiu, saying that it would encourage more Vietnamese to arrive.

A February 23 telegram from seven U.S. voluntary agencies in Thailand to the House Subcommitee on Asian and Pacific Affairs urged that the move to Site 2 should not take place. "Virtually every report or study made on Site 2 over the past two years has strongly recommended major relocations of the camp's population to improve the dangerous and unmanageable conditions currently in evidence," the telegram said. "We submit that this danger is even more acute for the Vietnamese population in the camp."

Thai and U.S. government sources expect that Phanat Nikhom soon will be officially closed to new arrivals, and that Thailand will request third-country resettlement for all Vietnamese residents. Meanwhile, the fate of new arrivals remains uncertain with the naval blockade still in place in the east, and pushbacks still occurring in Thailand's southern provinces.

Recent Developments

REFUGEE EMERGENCY IN THAILAND, U.S. COMMITMENTS TO REGION SCRUTINIZED IN CONGRESSIONAL HEARING

Congress took a long, hard look at the situation facing Vietnamese boat people in a February 24 hearing of the House Subcommittee on Asian and Pacific Affairs.

Subcommittee Chairman Stephen J. Solarz (D-N.Y.) opened the hearing by saying that it would "look into recent tragic events in Thailand which cost the lives of over 100 Vietnamese refugees and sent shock waves across this nation." He said that the hearing would try to determine "what the United States and the international community should be doing to reassure Thailand of our commitment to its security and well being."

Solarz said, "This committee and the Congress has no intention of seeing Thailand or other nations of first asylum unfairly burdened by refugees."

Private witnesses included Le Xuan Khoa, president of the Indochina Resource Action Center (IRAC), Roger Winter, director of the U.S. Committee for Refugees (USCR), and Al Santoli and Shepard Lowman, who had recently returned from a USCR fact-finding mission to Thailand. The government witnesses were Gaston Sigur, assistant secretary of state, Jonathan Moore, U.S. coordinator for refugee affairs, and William Brown, ambassador to Thailand, who came from Thailand to testify at the hearing.

[Because this month's lead story is *Refugee Reports' own eyewitness account of the situation in Thailand, this article will not report the findings of the witnesses about developments in Thailand, but will focus on "the Washington perspective" and policy implications of these events.]*

Reps. Chester G. Atkins (D-Mass.) and Jim Leach (R-Iowa) pushed private and government witnesses alike to predict the possible loss of life if U.S. resettlement commitments drop and first asylum in Thailand is lost. The private witnesses predicted the termination of first asylum in Malaysia and Indonesia as well, and estimated loss of life in the thousands, including not only Vietnamese boat people, but also Hmong refugees attempting to cross from Laos.

The government witnesses insisted that the United States would meet its resettlement commitments, but concurred in the assessment that a hypothetical diminution of U.S. resettlement would damage first asylum and put refugee lives at risk. Brown said, "The Thai response to that situation would be that we had reneged.... It would impact on their attitude toward new arrivals...and intensify pushbacks on a number of fronts--Hmong as well as boat arrivals--and could impact on anti-piracy efforts as well."

The major area of controversy between the private and government witnesses was the extent to which they considered the situation as described by Atkins as hypothetical or actual.

U.S. refugee coordinator, Moore, said, "I reject the notion of a shortfall in numbers." He said that he had "fought repeatedly" and was still "actively engaged" in an effort to resist lowering the FY 88 admissions ceiling for Southeast Asia. While acknowledging that "I can't promise we will reach the ceiling," Moore said that "it will not be anywhere near" the level of shortfall predicted by the private witnesses. "I know more about this than the private panelists," he said.

USCR's Winter said, "We believe the U.S. resettlement process has been deliberately managed so as to significantly fall short of FY 88 ceilings for Southeast Asia."

Winter said that the rapidly accelerating rate of boat arrivals in Thailand was known well before last year's consultations between Congress and the Administration on FY 88 admissions numbers, yet there was no focus on those developments in determining the projected needs for the year. In fact, Winter said, the Senate Judiciary Committee wrote a letter to President Reagan in September saying that Southeast Asian numbers may need to be used to cover additional admissions from Eastern Europe and the Soviet Union.

A Shortfall in Southeast Asian Refugee Admissions Winter calculated that only about 8 percent of the admissions ceilings for Southeast Asia had been utilized through the first quarter of FY 88. He said that USCR's analysis of the current admissions' pipeline indicated that less than 24,000 of the 29,500 places reserved for first asylum countries in the region would be used this year, if current trends continue.

Atkins said that he was aware of discussions calling for the reduction of this year's East Asian first-asylum numbers by 4,500 and a 500 reduction in Orderly Departure Program (ODP) numbers.

Leach added that the Administration's budget for FY 89 called for a reduction of East Asian admissions by 6,000. He said, "The thought of cutting back numbers is immoral. The case for increasing numbers is very persuasive."

Leach said that it was "totally unconscionable to drift into this policy." He added, "If ever there was an instance to exercise the emergency powers of the Refugee Act, this is it." Leach told the government witnesses that he was particularly troubled by a policy that pits one refugee group against another. He suggested that the United States should "hold firm" on Southeast Asian numbers and that Congress would "move expeditiously" to admit greater numbers from the Soviet Union.

U.S. refugee coordinator, Moore, said that getting authorization for additional admissions numbers would be "no problem," but that the real problem would be "getting dollars to pay for the numbers."

Atkins said that new money won't be there in FY 88 to support State Department calls for higher refugee admissions numbers. "Vietnamese and Hmong will suffer to save a few dollars." He added, "The OMB [Office of Management and Budget] numbers are going to lead to people losing their lives."

Moore said that the FY 89 budget process is "just beginning" and that "we may be able to get more numbers above that 23,500." He also said that there was a possibility of transferring funds within the budgeted $340 million for the refugee program to allow more money to be devoted to refugee admissions.

Moore Willing to Engage Emergency Powers of Refugee Act Atkins pressed the government witnesses on the severity of the refugee problem in Southeast Asia. When he asked, "Do we have an emergency in Southeast Asia?" all three government panelists responded affirmatively.

Moore said that he would convene the "senior interdepartmental group" on refugees so that a proposal for engaging the emergency provisions of the Refugee Act to increase the refugee admissions ceiling could be considered.

[Several other important refugee policy issues were raised in the hearing, including the ODP and processing of recently released re-education camp inmates. These topics are discussed in a related Recent Development article.]

SOVIET EMIGRATION INCREASE, SOUTHEAST ASIA CRISIS--THE REFUGEE ADMISSIONS NUMBERS GAME

A dramatic increase in the number of Jews and Armenians being permitted to exit the Soviet Union comes at the same time that maintaining significant resettlement opportunities for Southeast Asians has become critical (see lead story).

Lost in the shuffle have been Iranian refugees in Turkey, Salvadorans and Nicaraguans in Honduras, Ethiopians in Djibouti and Sudan, and refugees in other countries where the welcome of the host government is uncertain and for whom resettlement to third countries such as the United States could be life-saving.

While it is still uncertain whether funds will be made available for enlarging total worldwide refugee admissions, there are indications that the existing FY 88 pie could be sliced in ways that will take significant admissions numbers away from the regional ceilings for East Asia, the Near East/South Asia, Africa, and Latin America/Caribbean, while giving a major boost to the Eastern Europe/USSR region. And just-released FY 89 budget requests show the same shift.

The annual limit on the number of refugees to be admitted in FY 88 has been set at 72,500 (which includes an unfunded "unallocated reserve" of 4,000).

Admissions Fall Short in First Quarter

There have already been significant shortfalls in first quarter FY 88 refugee admissions for several regions of the world. (See chart, page 16) Most notably, only 3,329 refugees have been admitted from Southeast Asia, 8.7 percent of the 38,000 annual regional ceiling for East Asia. Other regions that typically have had shortfalls in recent years, Latin America and Africa, continued to admit far fewer refugees than their regional ceilings would allow. Unlike last year, when the rate of first quarter admissions from the Near East/South Asia region was running ahead of the regional ceiling (which was subsequently revised upwards), this year, the rate of Afghan, Iranian, and Iraqi admissions in the first quarter has fallen behind the rate that would meet the annual regional ceiling.

The only region that has been oversubscribed in the first quarter of the year is the Eastern Europe/USSR region, which has already used one-third of its allotted places for the year. More than 60 percent of the 5,014 admissions from the region have come from the Soviet Union. In fact, the 3,226 Soviet admissions in the first quarter of FY 88 are roughly equivalent to the 3,694 Soviet admissions for all of FY 87.

An American Council for Nationalities Service (ACNS) analysis of FY 88 Southeast Asian admissions based on first quarter arrivals, authorization for processing through Immigration and Naturalization Service approval, direct departures, and transfers to, and "graduations" from, the Refugee Processing Centers predicts a total of 32,279 Southeast Admissions this year, a shortfall of 5,721, if current trends continue.

Southeast Asian Shortfall Foreseen

Although the Thai interdiction operation has added a dramatic element to the resettlement picture, the fall in admissions numbers was being discussed as early as last year. A joint letter to President Reagan from the leaders of the Senate Judiciary Committee and Immigration and Refugee Affairs Subcommittee on September 29 stated, "additional numbers will likely be needed for Eastern Europe and the Soviet Union [in FY 88], as well as for the Near East and South Asia. Numbers not needed for Southeast Asia may need to be programmed to meet additional needs in these areas by mid-year."

The letter from Senators Kennedy, Simpson, Biden, and Thurmond not only assumed a short-fall in Southeast Asian admissions and a reallocation of those numbers to the Eastern Europe/USSR region, but it also advocated such a move.

The letter requested that only half of the East Asia allocation for first asylum be used before mid-year consultations. The senators said, "The Committee is also doubtful, based upon our latest field reports, that the 29,500 'ceiling' requested for 'first asylum' cases in Southeast Asia is justified without it becoming a 'quota,' for which pressures then build to fill."

However, boat arrivals in 1987 were significantly higher than 1986, making the field reports upon which the senators based their recommendations questionable. In all, nearly 13,000 Vietnamese boat people arrived in Thailand in calendar year 1987, a 300 percent increase over 1986. In June, boat arrivals were 600 percent higher than the previous June.

Additional FY 88 Numbers or Shortfall?

Additional numbers of refugees can be admitted under the Refugee Act of 1980 in the event of an "unforeseen emergency refugee situation" based on "grave humanitarian concerns" or "the national interest."

There were indications at the February 24 hearing before the House East Asia and Pacific Subcommittee that the U.S. Coordinator for Refugees would call for such a presidential determination.

However, if this effort does not succeed, State Department sources have indicated that a shortfall of 4,500 first asylum and 500 Orderly Departure Program (ODP) numbers could be "managed" for FY 88--figures mentioned by Rep. Chester Atkins (D-Mass.) at the February 24 hearing as well.

Sources in the State Department anticipated a shortfall of 2,000 numbers from the Near East/South Asia; 500 from Latin America; and 1,500 from Africa.

The total of 9,000 resettlement numbers taken from the other regions would be reallocated to the Eastern Europe/USSR region, according to the plan.

FY 89 Budget Proposals Show Drop in Refugee Admissions Outside Europe

On February 18, the Administration's proposed budget for FY 89 was made public. The proposed regional ceilings are roughly equivalent to the numbers being discussed as a possible FY 88 reallocation, if no emergency numbers are authorized.

The FY 89 request is as follows:

East Asia	
First Asylum	23,500
ODP	8,500
Subtotal	32,000
USSR/E. Europe	25,500
Western Hemisphere	3,000
Africa	1,500
Total	68,500

A statement issued with the FY 89 budget request said, "These levels of admissions are necessary to respond to diplomatic achievements with respect to the Soviet emigration; an improved Orderly Departure Program for Vietnam including Amerasian departures; the resumption of the migration agreement with Cuba; and to ongoing needs in Southeast Asia and other regions." The Office of Refugee Resettlement (ORR), in the Department of Health and Human Services, meanwhile, has made a budget request based on the expected arrival in FY 89 of 51,000 refugees.

Bill Gee, director of ORR, told Refugee Reports that the 51,000 figure was "strictly based on the money we had assigned to us for FY 89 by the OMB [Office of Management and Budget] budget people."

When Atkins asked Jonathan Moore, the U.S. coordinator for refugees, about the shortfall in admissions numbers implied by the ORR budget at the February 24 hearing, Moore replied, "I have seen those figures, but I can't explain them."

REFUGEES, ETHNIC GROUPS PRESENT UNITED FRONT IN NUMBERS CRUNCH

"It's a cruel choice, and an unnecessary one." So said a February 17 New York Times editorial about the prospect of reallocating refugee admissions numbers from Southeast Asia to the Soviet Union in order to accommodate increased Jewish and Armenian emigration.

Despite seeming to be pitted against each other for limited admission numbers, the refugee groups and the U.S.-based ethnic constituencies have presented a remarkably united front.

On February 19, the American Jewish Committee (AJC) and the Indochina Resource Action Center (IRAC) issued a joint statement saying, "We firmly believe that shifting numbers is not the proper answer. Both groups are deserving and of particular concern to the United States."

The joint AJC/IRAC statement called upon the United States to invoke the emergency provisions of the Refugee Act of 1980 and to provide supplemental funding to meet the humanitarian and foreign policy needs.

Ross Vartian, executive director of the Armenian Assembly of America, told Refugee Reports, "Competition for the same numbers is dehumanizing." He added, "No Armenian wants to quantify tragedy, to say we are better or worse off. We don't want to see a Vietnamese boat person turned away because of the admission of an Armenian."

Vartian said that no refugee should be penalized for the U.S. negotiating success with the Soviet Union, which suddenly is allowing significant numbers of Jews and Armenians to exit the country. "This is what a negotiating success costs--to accommodate those wishing to leave. But it does not displace refugees from other regions. That is not what was negotiated."

On February 5, Karl Zukerman, executive vice president of the Hebrew Immigrant Aid Society (HIAS), cabled Secretary of State George Shultz, also expressing the concern of his organization about the dangers facing Southeast Asian refugees, while applauding the foreign policy success of the Reagan Administration that has resulted in more exit permits from the Soviet Union/Eastern Europe than the current ceiling can allow.

"HIAS urges you to avoid the transfer of numbers between regional categories," the cable said. It also called for exercising the emergency provisions of the Refugee Act and supplemental funding.

Within the East Asia region itself other Indochinese refugee groups have shown solidarity with Vietnamese boat people as they face their current emergency. Hmong, Lao, and Cambodian groups throughout the country wrote letters to Congress and the Administration on behalf of the Vietnamese.

Siong Koua Vanchiasong, director of the Lao Family Community in Decatur, Georgia, perhaps best expressed this exile solidarity in a February 11 letter to Shultz. After describing the situation faced by Vietnamese boat people for the Secretary of State and making a series of recommendations to improve protection for Vietnamese refugees,

HANG NGÀN
MẠNG SỐNG NGƯỜI
VIỆT ĐANG BỊ ĐE DỌA
TRÊN BỜ BIỂN
THÁI

Indochinese refugees hold rally in Washington, D.C. The sign says, "Thousands and thousands of Vietnamese boat people are threatened in Thailand's seas."
Photo Credit: Quan Hoang

the Lao community leader reminded him that "reconsidering Cambodians in Khao I Dang who have been rejected for U.S. resettlement and seeking to open orderly departure opportunities from Laos, would also help release the pressure Thailand now feels."

NEW DEVELOPMENTS ON AMERASIANS, RE-EDUCATION PRISONERS

On January 20, Hanoi reportedly told two visiting U.S. Congressmen--Robert Mrazek (D-N.Y.) and Thomas Ridge (R-Pa.)--that it was interested in having all Amerasians in Vietnam leave for the United States in the next two years. According to the Washington Post, Deputy Premier Nguyen Co Thach "pledged the full commitment of Vietnam to the two-year deadline and indicated he hoped the program could be completed in one year."

The announcement is seen as a result of legislation that Mrazek introduced and that passed last December as part of a federal continuing spending resolution. Designed to speed U.S. admissions of Amerasians--children of U.S. servicemen and Vietnamese mothers--the law has a two-year life span and takes effect March 21.

It would appear that Amerasian departures from Vietnam need a boost. According to the State Department, as of February 23, 2,100 persons--about 40 percent of whom are estimated to be Amerasians, with the remainder their relatives--have entered processing since October. Of that number, only 322 persons have actually left Vietnam, while more than half are on medical hold. Slightly more than 600 individuals, State Department sources told Refugee Reports, had good chances of departing because they were manifested for exit flights. Those flights began last December under a new bilateral Vietnamese/U.S. arrangement, and they have been occurring the last week of every month ever since.

There is no official estimate of Amerasians in Vietnam, but a range of 8,000 to 12,000 is often cited. Mrazek and Ridge reportedly used that number after their Hanoi meeting, and indicated that as many as 18,000 relatives could emigrate along with the Amerasians.

Before any major flow of Amerasians to the United States begins, however, the governments involved are expected to discuss processing and departure procedures. As of late February, such talks had yet to be held, and it was not clear when they would be.

According to the new law, and to State Department implementing instructions, Amerasian admissions under the legislation will not be counted against refugee admissions numbers or immigrant quotas. The law waives numerical limitations for this group, and funding for their admissions will come from $5 million earmarked in federal funds. Additional funding will probably require supplemental appropriations.

Nevertheless, according to Mrazek assistant Stephen Goose, the law will indirectly affect refugee resettlement since private agencies will face having to care for a new and sizeable caseload.

Hanoi Announces Release of Reeducation Camp Prisoners There was also news from Vietnam about reeducation camp prisoners. On February 11, Hanoi announced a release of reeducation prisoners--persons held in prison camp settings for political indoctrination. Approximately 1,000 of the newly freed are believed to be former military or officials of the government of South Vietnam.

Hanoi has indicated that this latest release leaves imprisoned approximately 150 former soldiers and officials.

At a February 24 hearing before the House Asia and Pacific Affairs Subcommittee, Reagan Administration witnesses said that Vietnam was retaining its well-known position that released prisoners would only be allowed to leave on an individual basis, and that for a massive emigration to occur, guarantees were needed first from Washington that former prisoners would not engage in anti-Hanoi subversion.

However, a State Department source told Refugee Reports earlier that top Vietnamese government officials indicated to visiting journalists in January that it would permit former prisoners to leave without conditions. This report was subsequently confirmed by Amnesty International in London.

If prisoners are allowed to resettle, a key question will be how. At the hearing, Roger Winter, director of the U.S. Committee for Refugees, said that private sponsorship of former prisoners--an alternative that has been discussed because of the tight federal budget picture--could raise complicated questions, particularly in the area of medical care.

Le Xuan Khoa, director of the Indochina Resource Action Center, offered to submit resettlement suggestions to the subcommittee after he had conferred with other refugee community leaders.

"Re-education prisoners are a special responsibility" of the United States, subcommittee chairman Stephen Solarz (D-N.Y.) noted.

Update

° On February 23, The Senate Judiciary Committee approved a legal-immigration bill that would provide for an annual ceiling of 590,000 immigrant visas, of whom 470,000 would be reserved for family immigration and 120,000 for independent immigrants. Refugee admissions would not be subject to the immigration ceiling.

Although the bill represented a compromise between Sen. Edward M. Kennedy (D-Mass.), chairman of the Senate subcommittee on immigration and refugee affairs, and Sen. Alan K. Simpson (R-Wyo.), ranking minority member of the same subcommittee, Simpson reserved the right to offer two amendments when the bill comes before the full Senate--one of which would require the president to submit refugee admissions numbers to Congress three months before the beginning of the fiscal year if he determines that refugee admissions will exceed 50,000.

The amendment Simpson might propose would empower Congress to disapprove the admissions number proposed for the fiscal year through a joint congressional resolution. Under current practice, the Administration is required to consult with Congress regarding refugee admissions, but Congress is not able to veto those numbers.

It is not known whether or not Simpson will introduce such an amendment. No date has been scheduled for consideration of the bill on the Senate floor.

° Several attacks on internally displaced persons in the San Jose de Calle Real camp in El Salvador were reported in January. The camp, which houses about 600 displaced persons, is administered by the Archdiocese of San Salvador. On January 16, 200 Salvadoran soldiers entered the camp in an effort to arrest 15 people believed to be guerrilla sympathizers, but were prevented from doing so, in part, due to the timely intervention of a Catholic bishop. Several days later, international workers at the camp reported that troops surrounded the camp and opened fire with machine guns and grenades.

A classified cable from the U.S. embassy in San Salvador in December reported that illegal immigration to the United States from El Salvador has not diminished since the signing of the Immigration Reform and Control Act, according to an article by Robert Pear in the New York Times. The cable reportedly found that "illegal immigration to the United States is increasing" and has "risen back to 1984-86 levels."

° As of mid-February, 981,424 aliens had registered for amnesty under the Immigration Reform and Control Act (and 272,868 additional aliens applied as special agricultural workers). A report recently issued by the Carnegie Endowment for International Peace, "The Legalization Countdown: A Third Quarter Assessment," estimated that 1.8 to 2.6 million aliens are eligible for amnesty. The deadline for legalization is May 4.

Projects and Programs

PROGRAM TRAINS REFUGEES IN HUMAN SERVICES COUNSELING

Before Lilia Sorokin started working for the New York City Police Department, Russian-speaking people in Brooklyn were afraid to enter the station house. Now, they come. Many would not have felt welcome if not for the presence of a fellow emigre, one trained in human services counseling to hear them out and help with their problems.

Private and public agencies throughout New York City have benefited from the Training Program in Human Services Counseling for Emigres, which has created a body of refugee paraprofessionals in human services counseling.

The training program, sponsored by the Institute for Child Mental Health, provides a 20-week course for refugees and entrants. Using a social work education format, the 35-hour per week curriculum alternates 2 classroom days with 3 fieldwork days. The course emphasizes building English-as-a-second-language skills, while learning about social services in America and the cultural values on which they are based.

The benefits of the course often continue long after graduation day. Apufia Beko, an Ethiopian school teacher, found the course to be a turning point in her life. "Before I heard about it, I didn't know how to do anything but go to the welfare center. With this program I started going out, getting to know people, to know the city. I am very happy. My job takes me from borough to borough. I have many experiences now and know I can help." Beko now works with the health department immunizing children.

The training helps build confidence as well as skill, according to program director Katharine Schuchman. "You can see a physical difference in the students as they progress with the course. They stand straighter. It puts meaning back into their lives." From the start of the course, the students feel that they really are making a contribution, Schuchman said.

Lan Huynh, a former political prisoner in Vietnam, who arrived in the United States in 1980, spent his first eight months as a factory laborer. "The people were very strict, not friendly," he said. "I was very depressed."

A September 1981 graduate of the course, Huynh now works as a case worker for foster children who arrived as unaccompanied minors through the Refugee/Entrant Assistance Program. "I would like to stay in this job forever," he said. "I am so happy to help these Vietnamese children."

Similar feelings are expressed by Abdul Jamil, an Afghan refugee, who also works in foster care with Southeast Asian minors. "I understand the Vietnamese feelings," he said, "because I remember when I needed help." Jamil, who formerly taught engineering at Kabul University, was driving a taxi before he learned of the course. "The job isn't the only reason I appreciate the course," he said. "It helped me find my way. I appreciate how practical and well-disciplined it was."

Since 1979, 316 bilingual/bicultural paraprofessionals have been trained through this program. More than 100 New York City human services agencies, including resettlement agencies, health and mental health clinics, and educational institutions have provided supervised field work instruction for the trainees.

Graduates of the course receive 10 undergraduate credits from Adelphi University. Many of the graduates of the program continue their college education while working in the human services field. Huynh, for example, has gone on to earn both bachelor's and master's degrees in social work.

An important aspect of the program has been its success in placing refugees in human services jobs. Sorokin's work with the police department started with her course field work. She started doing translations during her internship, moved on to be a receptionist, and now, still working as a receptionist, has in fact become an all-purpose liaison with the Russian-speaking community. She writes articles for the Russian-language newspaper, makes radio broadcasts, and assists emigres on all aspects of law and crime prevention. She has found that elderly emigres with the least facility in English are particularly drawn to her. "They ask about everything," she said. "I help to make reports, fill out applications, explain laws." She even works with the city's voter registration program to make voting more accessible to New York City's Russian-speaking community.

The program is funded by the Refugee/Entrant Assistance Program of the New York State Department of Social Services.

For more information, contact Katharine Schuchman, program director, Training Program in Human Services Counseling for Emigres, 22 East 28th St., New York, NY 10016. (212) 725-8611.

Current Research

PRIVATE SECTOR ERODED IN U.S. REFUGEE RESETTLEMENT, STUDY FINDS

Private sector involvement in the U.S. refugee resettlement program has eroded due to over-reliance on government public assistance programs and procedures, according to a contract study by the Refugee Policy Group and Lewin and Associates for the federal Office of Refugee Resettlement (ORR).

"The eclipse of the private sector," the report says, "has occurred because potential donors, sponsors and relatives, as well as voluntary agencies and the MAAs [Mutual Assistance Associations--refugee self-help groups] themselves, have come to see resettlement as a public responsibility."

The report, Future Directions in the U.S. Refugee Resettlement Program, contends that private sector groups that historically have played a vital role in refugee resettlement have developed the expectation that the government will provide adequate funding and other support. "Few agencies see themselves as having a responsibility to develop alternative funding sources or develop the interest of mainstream agencies in refugee-related matters," the report observes.

In short, the report finds, the refugee program at all levels has organized itself around the administration of welfare benefits to the point where "it has transformed itself into a welfare focused program."

Among the reasons listed for the decline in private sector resources, the report says, are:

- the failure of many private agencies to develop sponsorships and volunteers or provide encouragement to donors;
- the competition for resources emanating from new refugee crises and emergencies overseas;
- concerns that cash and medical assistance costs would be greater than the private sector could bear; and
- the increased proportion of refugees who are joining family members who are already living in this country.

Report Could Have Important Policy Impact

The report promises to play a role as policymakers begin to consider reauthorization of the Refugee Act. ORR Director Bill Gee said, "The conclusions and recommendations [of Future Directions] are relevant to participants in the refugee program at all levels."

Sen. Edward M. Kennedy (D-Mass.), chairman of the Senate subcommittee on immigration and refugee affairs, sent a copy of Future Directions to Karl Zukerman, the chairman of InterAction's committee on migration and refugee affairs, with a letter saying, "While I don't necessarily agree with all of its recommendations, I do think it's a useful basis for discussion." Kennedy asked Zukerman and his InterAction colleagues to comment on the report as a preliminary to reauthorization of the Refugee Act. He said, "I hope to convene a hearing on this subject soon."

Report Recommends Increased Private Sector Role Despite finding that private sector involvement in refugee resettlement has eroded in recent years, the report recommends a refocusing of responsibilities for resettlement that would give the private sector increased responsibility for the initial period of refugee reception and placement.

Future Directions asserts that allowing the private sector to play such a role would increase the likelihood that more refugees would be diverted from dependence on public assistance. "By giving private agencies the resources to focus on all of the service needs of clients during a specified period of time, more refugees will become employed prior to accessing public services," the report maintains.

The study recommends a clearly delineated "time sequencing" of responsibilities by which private sector organizations would provide all services during an initial specified period, and States would then take responsibility for those refugees who do not become self-sufficient at the end of that time.

Fewer Refugees of More Varied Background Will Change the Character of Resettlement Services The report notes the changing character of refugee admissions to the United States as a primary reason for reassessing the private sector role. Increasingly, the report predicts, refugees admitted to the United States will represent a broader array of nationalities, skill levels, and household composition. Consequently, there will be greater chances of diverting refugees from reliance on public assistance. Anticipating smaller overall numbers of refugees being admitted, who in addition have higher skills, the report predicts that job placement will be easier in the future.

Part of the Future Directions assessment--consistent with its recommendation for a heightened private sector role--is that refugee-specific service systems will need to give way to placing refugees into mainstream social service programs. "With a smaller, more heterogeneous refugee population," the report says, "it will be very difficult to maintain a refugee-specific service system in many locations. If there are only a handful of clients who speak any given language, it is too expensive to hire bilingual workers to assist them. Also, if there is great diversity in skills...maintaining an appropriate range of job services within the refugee program will also be too costly."

As government resources become more constrained, and "mainstreaming" the most viable way to assist refugees, Future Directions suggests that there will be even greater needs for private sector attention and support. "As the refugee program diminishes in size, refugees will become lost in large bureaucracies." In a time when refugees will rely increasingly on mainstream services, the report says, "it is necessary to maintain some institutional base that can advocate on behalf of refugees and refer them to appropriate assistance." That role, the authors write, is the appropriate province of the private sector.

Health Insurance is Not an Insurmountable Obstacle to Refugee Self-Sufficiency The report is optimistic about the possibilities for finding satisfactory health coverage for employed refugees. It also insists that the success of private sector efforts to lead refugees to self-sufficiency will hinge on responding to the need for health coverage. "A key to the success of this private sector approach would be the ability of the private agencies to ensure health care coverage for the refugees they are to serve for the specified time period."

Refugee service providers consistently report that the potential loss of Medicaid and concerns about obtaining health services impedes many refugees from taking low-paying jobs, knowing that this will mean the loss of Medicaid benefits.

Resettlement workers, the report charges, "are often unaware of or make little use of Medicaid eligibility categories that allow low wage earners to continue their enrollment in the program even as cash assistance is terminated." The study found considerable variation in the ability of refugee service agencies to guide and assist refugees in health coverage options.

Future Directions offers several suggestions for providing health coverage to low-income refugees. One of the suggestions for refugees who live in states where Medicaid cannot be obtained apart from cash assistance is to create a group insurance plan for refugees. The authors state, "For these refugees, we recommend that ORR explore the potential for 'pooling' uninsured refugees into a nationwide insurance plan that would lower the premium costs."

Future Directions discusses a variety of other problems and policy options. It includes research findings and policy options on overseas English language training and cultural orientation; reception and placement; placement policy; cash and medical assistance; and social services and targeted assistance programs.

The principal authors of Future Directions were Susan Forbes of the Refugee Policy Group, Timothy Eckels of Lewin and Associates, Inc., and Deborah Kogan of Berkeley Planning Associates.

The study is available upon request from Nguyen Nga at the Office of Refugee Resettlement, 330 C St., NW, Room 1229, Washington, DC 20201. (202) 245-1967.

Meetings and Conferences

° The eleventh annual legal conference on immigration and refugee policy sponsored by the Center for Migration Studies will be held at the Grand Hyatt Hotel in Washington, D.C., April 21 and 22. The registration fee for individuals before March 18 is $150. Special rates apply for government and non-profit agencies and academics. For more information, contact the Center for Migration Studies, 209 Flagg Place, Staten Island, NY 10304-1148. (718) 351-8800.

Resources

STATE DEPARTMENT REPORTS ON HUMAN RIGHTS PRACTICES

The U.S. State Deparment released its Country Reports on Human Rights Practices for 1987 in February. The 1,358-page report is a comprehensive survey of human rights practices throughout the world.

Below are excerpts from selected reports. All material is quoted directly.

Cuba In 1981 and again in 1983, the Government promised "amnesty" to a group of Cubans who had taken asylum in the Peruvian Embassy during the events that led to the Mariel boatlift in 1980. (Seeking asylum is a crime under Article 249 of the Penal Code.) Guarantees that the asylees would be allowed to depart Cuba were not honored, however.... [O]f the 17 persons who accepted this "amnesty," two are serving prison terms of 10 years, and none of the others have been permitted to leave the country... Three asylees still remain in the Peruvian Embassy after 7 years.... Cuba still holds as many as 80 long-term political prisoners, known as "plantados" for their steadfast refusal to accept reeducation and indoctrination. Jailed since the early days of the regime, a number of these are now in their 29th year of imprisonment.... During 1987 the Government continued to release some political prisoners and allow their departure from Cuba. By the end of September 1987, 105 former political prisoners had traveled to the United States.... Discussions between the United States Catholic Conference and the Cuban Government in May 1987 led to an agreement to release as many as 350 present and former political prisoners for travel to the United States. The United States agreed to accept those that qualified under its refugee guidelines. Efforts to ensure entry into the United States by most of those approved, and their family members, by the end of 1987 were hampered by Cuban government slowness in providing the documentation necessary to ensure that the persons are bona fide political prisoners.

El Salvador An estimated 322,000 people are displaced within El Salvador by the conflict, primarily from the northern and eastern zones. Another 167,400 are refugees in other Central American countries and in Mexico, and more than 500,000 are estimated to be illegal immigrants in the United States. As the level of violence falls, an increasing number of refugees are returning from abroad... The Intergovernmental Committee for Migration (ICM), which met and maintained contact with some 9,530 returnees between December 1984 and December 1986 and continued to meet Salvadorans deported from the United States in 1987, reported no evidence of government harassment of individuals returning to El Salvador from abroad, either from the United States or elsewhere.

Guatemala Guatemala has ceased to be a refugee-generating country and is now a refugee-receiving country.... Estimates of Nicaraguans living in Guatemala vary between 7,000 and 20,000, most of whom are in the country illegally. In addition, several thousand Salvadorans have come to Guatemala to seek jobs or to escape guerrilla warfare.

Haiti Economic migrants continue to leave Haiti, bound for destinations in the United States or for more prosperous areas of the Caribbean. Pursuant to a 1986 U.S.-Haitian agreement on the interdiction of undocumented migrants, around 3,000 illegal migrants were repatriated from international waters to Haiti by the U.S. Coast Guard in 1987.

Honduras Although conditions in the UNHCR camps are good, protection problems continue in the Salvadoran refugee camps and in some of the Nicaraguan Miskito settlements. There have been credible reports of forced recruitment and intimidation by political organizers linked to the Salvadoran guerrillas, in some cases to prevent voluntary repatriation. Although attempts by the Honduran Government to control such abuses in the camps are considered threatening by some outsiders, the Government continues to respect the authority of the UNHCR.

As a result of confrontations between Nicaraguan refugees and Hondurans livng in the Danli area, the Honduran Government closed the Jacaleapa refugee camp to visits without prior authorization and reviewed all previously issued travel permits for the refugees resident in this camp.

Cambodia Except for those who bribe their way out, the Heng Samrin regime routinely imprisons those caught attempting to flee, as well as those believed to be returning from border encampments affiliated with the CGDK. The Heng Samrin regime has agreed in principle to accept returning displaced persons from camps in Thailand, but has taken only one elderly woman so far because it has not reached an agreement with the United Nations High Commissioner for Refugees on the mechanics of repatriation.

Thailand Thailand, though not a signatory to international legal instruments regarding refugees and their basic rights, has acted in the spirit of those agreements in providing asylum to about 680,000 refugees from Laos, Cambodia, and Vietnam since 1975, and in permitting the temporary evacuation of around 270,000 Khmer, classed as displaced persons, onto its side of the Thai-Cambodian border. Thailand does not intend that the refugees remain in Thailand permanently, however, and, in the case of Lao refugees, during 1987 there were increasing indications that if resettlement in third countries is not possible, repatriation would be considered.

Thai policy has been to allow U.N.-coordinated assistance to be provided to refugees at first-asylum camps. Displaced Khmer are afforded temporary haven at border camps until safe repatriation can be arranged. Those in camps run by the United Nations High Commissioner for Refugees (UNHCR) number about 108,000.

In 1987 Lao highlanders often found it impossible to gain access to the Government's program (established in 1985) to screen individual Laotian arrivals. There were instances of unilateral expulsions by Thai officials of groups and individuals, primarily highland Hmong, who sought to enter Thailand. In March, 135 Hmong who had illegally crossed into Thailand were involuntarily repatriated to Laos, and in September, 24 lowland Lao seeking refugee in Thailand were pushed back into Laos where they were subsequently imprisoned by the Laotian Government. In November, 34 Hmong attempting to enter Thailand illegally were returned to Laos.

There were conflicting reports of a massacre, and the UNHCR has been invited to investigate the reports. This issue is complicated by the fact that some of these would-be entrants are Lao resistance elements rather than simple asylum seekers, as well as by the Lao Government's continuing hesitancy to accept back Laotians screened in Thailand and found not to be bona fide refugees.

In September, approximately 2,000 Burmese hill tribe people who had been living illegally in Thailand were repatriated to Burma. There have been reports of some violence associated with this repatriation.

Vietnam Refugees left Vietnam clandestinely during 1987 at a higher rate than in 1986. In part this was because a safer route opened across Cambodia.... Since 1975 ...90,000 former officials of the Republic of Vietnam Government have been detained in reeducation camps. Once released, these people face considerable discrimination.... The Government has oppressed ethnic Chinese by denying them employment and educational opportunity.

Romania In principle, the Goverment continues to oppose emigration for any purpose but family reunification and seeks to discourage those wishing to emigrate. The waiting period for Romanian emigration approval is still long: successful applications generally take between 1 and 5 years. The authorities sometimes refuse arbitrarily to accept emigration applications from some Romanians. However, the Government has permitted significant numbers of citizens to emigrate to the United States, Israel, and the Federal Republic of Germany.

Union of Soviet Socialist Republics Many Jews have waited in vain for 10 years or longer for permission to emigrate. Official Israeli sources estimate that there are approximately 370,000 Soviet Jews who have requested the letters of invitation (VYZOVS) necessary to apply to emigrate, and that many more Jews would eventually leave if emigration restrictions were lifted. However, a variety of administrative and extralegal sanctions, including loss of employment, harassment, social ostracism, and long delays, dissuade many Jews from even attempting to submit an emigration application.

Jewish emigration in 1987 totaled 8,155, up substantially from 914 in 1986, and the highest yearly total since 1981, when 9,447 Jews emigrated.... Many longtime refuseniks continued to be refused on grounds of security, however. The Supreme Soviet Presidium reportedly formed a commission to review security refusals, and a number of Soviet Jews, previously refused on security grounds, have been permitted to emigrate.

Pakistan Nearly 3 million Afghans have fled to Pakistan as a result of the Soviet invasion of Afghanistan. The Government administers and supports over 300 Afghan refugee camps, incurring significant current and longer-term costs above the sizable amounts of relief supplies provided by various donors. The movement and employment of Afghans in Pakistan generally is not restricted, and many Afghans reside outside the refugee camps. Responding to public resentment and fears, the Government made extra efforts in 1987 to encourage refugees in urban areas to return to the camps....

Following the July fighting between Iranian groups in Karachi and Quetta, the Government has given closer scrutiny to its growing population of illegal immigrants from countries such as Bangladesh, Iran, and Sri Lanka. It has publicly vowed to shut off illegal immigration and return illegal immigrants to their places of origin.

RIGHTS GROUPS CRITIQUE U.S. RECORD

The Lawyers Committee for Human Rights and Human Rights Watch have published a critique of the Reagan Administration's human rights record in 1987, which serves as a useful companion to the State Department's Country Reports on Human Rights Practices for 1987.

The 294-page report includes a section on refugee, asylum, and immigration policy. It notes several positive developments during the year, including amnesty and liberalized asylum standards, but it does not extend credit to the Administration for these. "The victories that were won," the report says, "came largely over the legislative or judicial objections of the Administration."

The report charges that State Department reporting on human rights reflects foreign policy biases. The same biases, it says, are shown in setting refugee policy. "In its explanation of both the regional ceilings and the country-specific allocations for refugees, the State Department reflected the Administration's ideological bias by citing political repression as the cause of flight from communist nations, but not from noncommunist ones."

The Reagan Administration's Record on Human Rights in 1987 is available for $12 from Human Rights Watch, 36 W. 44th St., New York, NY 10036 or from the Lawyers Committee for Human Rights, 330 Seventh Avenue, 10th Floor N., New York, NY 10036.

U.S. DEPARTMENT OF STATE
BUREAU FOR REFUGEE PROGRAMS
Summary of Refugee Admissions, First Quarter of FY 88

COUNTRY OF CHARGEABILITY	FY ADMISSIONS AS of 12/31/87	FY 88 CEILING
AFRICA		
Angola	2	
Ethiopia	317	
Mozambique	1	
Somalia	3	
South Africa	1	
Tanzania	1	
TOTAL AFRICA	**325**	**(3,000)**
EAST ASIA--1ST ASYLUM		
Cambodia	24	
Laos		
Highland	1,263	
Lowland	227	
Subtotal Laos	1,490	
Vietnam		
Land and Boat	871	
Other	14	
Subtotal Vietnam	885	
EAST ASIA-1st ASYLUM	2,399	(29,500)
ODP	930	(8,500)
TOTAL EAST ASIA	**3,329**	**(38,000)**

COUNTRY OF CHARGEABILITY	FY ADMISSIONS AS of 12/31/87	FY 88 CEILING
EASTERN EUROPE		
Bulgaria	24	
Czechoslovakia	121	
Hungary	92	
Poland	781	
Romania	767	
Soviet Union	3,226	
Yugoslavia	3	
TOTAL EASTERN EUROPE	**5,014**	**(15,000)**
LATIN AMERICA		
Cuba	4	
Nicaragua	35	
TOTAL LATIN AMERICA	**39**	**(3,500)**
NEAR EAST ASIA		
Afghanistan	384	
Iran	1,589	
Iraq	11	
TOTAL NEAR EAST ASIA	**1,984**	**(9,000)**
GRAND TOTAL	**10,691**	**(68,500)**

REFUGEE REPORTS is published monthly for $28.00 per year for one subscription, $20.00 each for two or more subscriptions to the same addressee, or $20.00 each for ten or more subscriptions requested at the same time, mailed to separate addresses; overseas postage, $24.00 additional; by ACNS, 95 Madison Avenue, Third Floor, New York, NY 10016. Second Class Postage paid at New York and additional mailing offices. POSTMASTER: send address changes to *Refugee Reports*, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204.

Editorial comments and inquiries should be sent to: *Refugee Reports*, 815 Fifteenth Street NW, Suite 610, Washington, DC 20005. All communications regarding subscriptions should be sent to: Refugee Reports Subscriptions, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204. (615) 377-3322.

Basic subscription rate for 12 issues per year: $28.00; Multiple-copy rate: $20.00; Single copies of back issues: $2.50.
Editor: Virginia Hamilton; Staff Writers: Bill Frelick, Court Robinson Joseph Cerquone
Distribution Manager: Carolyn Moore; Production Coordinator: Koula Papanicolas
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Refugee Reports

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Volume IX, Number 3 March 18, 1988

THE VIETNAMESE REFUGEE CRISIS IN THAILAND CONTINUES TO ELUDE SOLUTIONS

Thailand's easternmost province of Trat looks remarkably like an elephant's head, its long trunk reaching down past Khlong Yai then curling into the Gulf of Thailand as if about to sweep the clutch of offshore islands into the mouth of Trat Bay. It was on one of these islands that a search team found a solitary man sitting on a beach, the sole inhabitant, as it turned out, of Rang Yai Island.

Disoriented and clearly frightened, he asked his rescuers if they were Soviets. The reply, "Americans," did not seem to register at first, but gradually, painstakingly his story came out. He had set out from Vietnam with four friends. Six days earlier, their boat was rammed by a Thai fishing trawler. The man drew an oval in the sand and ran his hand straight through it. He swam here. His friends? He did not know, probably drowned.

Some Thai fishermen soon pulled into the cove. They had found the man the day before and given him some food. This time, they brought out rice and some curried fish. One of the Americans offered to buy a straw mat and blanket from them. There was no place safer to take the man, he explained. The Thai Marine Police, for the last two weeks, had pushed hundreds of Vietnamese back out to sea. He would have to stay where he was, at least until the UN could be notified.

"Is he a Communist?" one Thai asked. "A refugee," the American answered. The fishermen talked among themselves, then decided. He could have the mat and blanket. There was a grimy little pillow under the bow. "How about the pillow?" the American asked. "Just the blanket," he was told, "No pillow."

There are now more than 520 Vietnamese refugees on Rang Yai, transferred by the Marine Police from other islands. They are assisted by the UN High Commissioner for Refugees (UNHCR) and a Thai relief agency, and the Thai government has announced that the group eventually may be moved to the mainland and from there to a camp on the Thai-Cambodian border, without access to resettlement. Many have been on the island for more than a month.

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We continue last month's discussion of the Vietnamese refugee crisis in Thailand. While officials discuss alternatives, boat people continue to be turned away. We touch on the waiting and uncertainty on the part of Vietnamese refugees and their families, and discuss the larger issues that will determine their fate--the scope of U.S. resettlement, the future of the Orderly Departure Program, and prospects for screening of Vietnamese arrivals in Thailand..........1

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Another group of 120 Vietnamese are stranded on offshore oil rigs in the Gulf of Thailand, and an additional 26 are on Kra Island in the south. The Thai Minister of the Interior (MOI) reportedly will not allow these groups to be moved to the mainland.

Meanwhile, the pushback policy--imposed so dramatically on January 27 when a boatload of 40 Vietnamese asylum-seekers was escorted without warning back out to international waters--has been moderated only slightly. Thai officials now say that boat people who reach the east coast will not be pushed off again.

The Marine Police continue to patrol Thailand's maritime border with Cambodia to deter new arrivals. And pushbacks continue routinely in Thailand's western and southern provinces, according to sources in Thailand. Credible estimates now indicate that since the end of January, at least 750 Vietnamese have been forced back out to sea, resulting in over 120 deaths. For the moment, Thailand appears to be offering Vietnamese refugees neither blanket nor pillow.

"First asylum is, in practice, no longer available for Vietnamese refugees in Thailand," said Roger Winter, director of the U.S. Committee for Refugees, a nonprofit advocacy group in Washington, D.C. "Despite Thai announcements that pushbacks have ended, it is more the case that the recent violence effectively has choked off east coast arrivals, which totalled more than 6,000 people from November to January," said Winter. "Furthermore, a pattern of pushbacks has been clearly established in the western and southern provinces. We know of at least nine separate incidents, involving close to 150 people."

No Consensus on How to Restore First Asylum The U.S. government, UNHCR officials, and numerous refugee program advocates all have appealed to Thailand to reverse its pushback policies and allow Vietnamese to reach shore safely. Beyond that, there is considerably less agreement as to the strategies that the United States and the international community should undertake, or the commitments that Thailand is seeking, in order to restore first asylum--if that is even possible.

In a February 19 letter to the Thai Foreign Minister, U.S. Ambassador William A. Brown offered a six-point plan for resolving the Vietnamese refugee crisis. According to a U.S. Embassy official in Thailand the letter raised the following recommendations:

--Stop all boat pushbacks.
--Close Phanat Nikhom to new boat arrivals, with newcomers going instead to a UNHCR holding center.
--Establish a screening program at the holding center to identify people of special concern. There would be no more generalized resettlement.
--UNHCR should urge other countries to assist in resettlement, particularly of the Phanat Nikhom caseload, now numbering about 15,000.
--UNHCR should urge the international community to promote the Orderly Departure Program (ODP), which provides for the direct departure of refugees and immigrants from Vietnam. Further, UNHCR should encourage Vietnam to accept the idea of voluntary repatriation.
--As soon as consensus is reached on these five points, UNHCR and the Thai government should make a general announcement of the new policies.

"Thai refugee policy is very fragmented right now," a U.S. official told Refugee Reports. "We do not have any real response from them on the six-point proposal. They keep saying that pushbacks are not policy, but simply actions by local officials." The Thai National Security Council (NSC), the central policy-making body on refugee and other security issues, has not been willing or able to pressure MOI, recognized as the primary architect of the pushback approach, to back down on its hardline positions, the official said.

An official with the Thai Embassy in Washington asserted that no pushbacks will occur of those who reach Thai shores, but he acknowledged that coastal patrols continue to interdict boats on the water and turn them away.

"The U.S. must learn that there comes a time when Thai and U.S. interests do not coincide," said Arsa Sarasin, Thailand's ambassador to the United States. "They cannot always come around and scream at us." As far as solutions to Thailand's refugee problem, Arsa said, "The long-term plan must be to stop the influx of these refugees by strengthening the ODP and through other means." But for now, "Instead of only paying lip service, the U.S. and Western countries should make a genuine effort to accept more refugees immediately."

Shortfall in Indochinese Admissions Likely for FY 88 The U.S. admissions ceiling in FY 88 for Southeast Asian refugees in first asylum camps is 29,500, a figure that State Department officials acknowledge will not be reached this year. "We will probably be a few thousand short," a State Department official told Refugee Reports, despite the fact that, on March 15, a senior inter-agency group in the Administration agreed not to shift numbers away from the Southeast Asia region and reallocate them to the Soviet Union, where an unexpected increase in Armenian applications has created a need for new admissions slots (see Recent Developments). State Department sources confirm that the Administration will seek authorization of 15,000 additional numbers in FY 88 for admission of refugees from the Soviet Union and Eastern Europe, most of which would be allotted to Armenians, with smaller numbers for Soviet Jews and Poles.

The anticipated FY 88 shortfall has met with criticism from Congress and from refugee advocates. "Now is not the time to be nickel and diming Thailand on numbers," said Sen. Mark O. Hatfield (R-Ore.) in a February speech to the Senate. On March 15, Shultz received a letter from 65 members of the House of Representatives urging him to "meet the challenge at hand by fully honoring the congressionally approved 29,500 level for Indochinese refugee resettlement."

A State Department official denied the charge made by Winter that the Southeast Asian admissions program "has been deliberately managed so as to fall short of the 1988 ceilings." According to the official, the shortfall can be explained by a combination of factors, including Thai delays in granting access for interviewing, internal policy complications over a possible review of rejected Cambodian cases in Khao I Dang, and lack of refugee credentials on the part of many applicants.

"We are in the middle of a crisis," said Winter, "and the United States should use every single number it has available. There are six months left in the fiscal year to find ways to do that."

Thailand Seeks Resettlement of More "Long-Stayers" On February 21, the secretary-general of Thailand's National Security Council (NSC), Suwit Suthanakun, announced that Vietnamese boat people who arrived in Thailand after January 1 would be transferred to Site 2 on the Thai-Cambodian border, where they would be deprived of resettlement opportunities. "We have informed the UNHCR of our decision to move the Vietnamese," Suwit said, "and asked them to provide food, shelter, and other necessities." Site 2 is a border camp housing 160,000 Cambodian "displaced persons" and about 4,000 "land Vietnamese" who made the entire journey to Thailand overland through Cambodia.

One refugee program source told Refugee Reports that the Thai government may not be totally opposed to any resettlement for Vietnamese who are moved to the border but, for the moment, wants to send a negative message to would-be asylum seekers. In addition, a Thai Embassy official said that priority for resettlement should be given to the 15,000 Vietnamese in Phanat Nikhom and to "long-stayers." Of the 112,000 refugees in UNHCR camps in Thailand, 69,000 have been there more than three years, although only about 500 Vietnamese fall into this group.

Since early January, there have been no movements of Vietnamese to Phanat Nikhom, a refugee processing center 70 miles southeast of Bangkok. Boat arrivals in the east coast have numbered close to 2,000 since the beginning of the year, most of whom arrived before the pushbacks started. Not included in the arrival count are an estimated 550 who have been pushed back from the east coast. In addition to the 520 on Rang Yai Island, there are 1,222 Vietnamese at three shelters in Trat Province, and another 365 at Kamput in Chantaburi Province. On March 15, sources in Thailand report that 250 people were moved from Kamput to Site 2.

"We are aware of the humanitarian concerns," the Thai Embassy official told Refugee Reports, "but the United States and the other resettlement countries have to give Thailand commitments that if we let them in, they will help find a way out."

ODP May Be the "Best Answer" for the Future "Expanding and expediting the Orderly Departure Program is clearly the best answer to the problem," the Thai official said. Under current program guidelines, the United States admits up to 8,500 refugees directly from Vietnam, under the Orderly Departure Program (ODP). In addition, immigrants coming through the U.S. program have averaged about 2,500 per year since 1980, and U.S. officials have indicated they would like to increase that number.

"We are geared up to move 26,000 people per year," said Brown in congressional testimony. "Some 15,000 would be Amerasians under the Indochinese Homecoming Act, and another 11,000 would be family reunion" or other processing categories. "We are prepared," he said, "to take all Amerasians and reeducation camp prisoners."

The Indochinese Homecoming Act, passed into law last December, allows for Amerasian children and their accompanying family members or guardians to enter the United States "without numerical limitation" during the next two years. The act, sponsored originally by Rep. Robert Mrazek (D-N.Y.), provides for their admission as immigrants, but with full domestic refugee benefits.

The Amerasian legislation has raised a host of logistical and budgetary questions, both at home and abroad. Elizabeth Berube, deputy director of ODP in Thailand told Refugee Reports, "Nobody has any idea yet of how the bill is going to be implemented." She said that the ODP program had files covering approximately 9,000 Amerasians--children of American servicement and Vietnamese mothers--and 20,000 additional family members. "We are prepared to move as quickly as possible," Berube said, "and have requested a supplemental interviewing trip in March, which the Vietnamese have agreed to. They want a speedy resolution to the Amerasian issue."

Observers do not expect that the legal emigration of political prisoners and their families will be resolved quite so speedily, despite Vietnam's recent release of more than 500 officers and other members of the U.S.-backed South Vietnamese regime. Berube said that those released from reeducation camps must normally wait three to four years before the Vietnamese government grants them exit permits. "We hope things will begin to move a little faster," she said, noting Vietnamese Foreign Minister Nguyen Co Thach's recent statements that prisoners with relatives abroad may be allowed to join them.

On March 7, Sens. Edward M. Kennedy (D-Mass.) and Claiborne Pell (D-R.I.) sent a letter to Secretary of State George Shultz expressing concern that the recently released prisoners had "no immediate access to the Orderly Departure Program." The letter continued, "We believe now is the time for you to renew the offer that you made four years ago--to make clear in whatever appropriate manner that the former reeducation camp prisoners should be assisted in coming to the U.S. with their families through the ODP program."

Amerasians and political prisoners may be of special priority to the United States, but they represent only a small percentage of everyone who would like to emigrate. The U.S. ODP offices in Bangkok contain 100,000 active files, comprising more than 670,000 individuals. Included in this list are about 61,000 people with current immigrant visa petitions, at least half of whom could leave Vietnam immediately if the government gave them permission to do so. "The Vietnamese have told us," however, said Berube, that their priority is "to work through their backlog of about 19,000 exit permit holders." In the last list of 3,800 that U.S. officials received in December, 22 percent had current immigrant visas.

Screening Program is Also Considered

"Clearly, there needs to be some middle ground between the current Thai position that [the Vietnamese] are all economic migrants and the alternative position that everyone who arrives must be accorded full international refugee status," an official with the U.S. Embassy in Thailand told Refugee Reports. "I think screening is the best hope."

In mid-January, the chairman of UNHCR's Executive Committee, Robert Robertson, told a Thai newspaper that he agreed in principle with the idea of a screening program to separate Vietnamese refugees from nonrefugees. Gerald Walzer, the UNHCR representative in Thailand, said that no decisions have been reached but, "It is something that is being discussed. It is being considered." He pointed out that the Thai government, with UNHCR cooperation, has operated a screening program for Laotian asylum-seekers since July 1985.

One of the reasons that Thai officials

talk so exclusively about illegal immigrants and economic migrants, says refugee law expert, Vitit Muntharbhorn of Chulalongkorn University, is that in Thai immigration law, "the word 'refugee' does not appear anywhere." Thailand's Immigration Act of 1979, as amended the following year, provides for the imprisonment or expulsion of any alien who enters Thailand without documentation or who is considered to be a threat to national security.

The result, Vitit told *Refugee Reports*, is that "The Thai government considers itself vested with complete powers to do what it likes with refugees." Regulations promulgated by the Ministry of the Interior do provide for certain exceptions to be made for a person "who escapes from dangers due to an uprising, fighting or war, and enters in breach of the Immigration Act," but no mention is made of flight due to a "well-founded fear of persecution," as UNHCR defines a refugee.

A screening program, said Vitit, not only would encourage Thailand to incorporate a status for refugees into its law and regulations, but also would "convey to the Vietnamese community that not everyone will be resettled. Priorities need to be made clear."

Screening for Vietnamese arrivals may serve as a deterrent, but it is not a "viable option right now," according to a Thai Embassy official. "The screened-out will only be left in Thailand, since Vietnam has not shown any interest in taking them back." He noted that in the case of the Laotian screening program, only 41 people had been returned in two-and-a-half years. For other observers, the paramount concern with repatriation is the safety of those going back.

In testimony on February 24 before the House Subcommittee on Asian and Pacific Affairs, Ambassador Brown called for "an intensive dialogue with Vietnam on the possibility of repatriation," but insisted there would need to be "strict international safeguards" established.

Walzer said that UNHCR has approached the Vietnamese government about starting a voluntary repatriation program but, thus far, no agreements have been reached. Indeed, in the February issue of UNHCR's monthly magazine, *Refugees*, Thach said, "We do not think the time has come for voluntary repatriation. Economic conditions have not improved, and returnees would encounter the same difficulties that led them to leave."

Hatfield Calls for "Open Debate" with Vietnam "The refugee problem will not be solved," Hatfield said in his February 23 Senate speech, "until we deal with the 'source' of the problem--the Vietnam government." One year ago, Hatfield said, he had suggested that technical offices be established in Washington and Hanoi to deal with the issue of MIA-POWs (missing-in-action and prisoners-of-war) and other humanitarian issues.

"After an initial wave of optimism" following the visit of presidential envoy, Gen. John Vessey, last August, "the very familiar pattern of infrequent, lower-level meetings snarled by tremendous logistical problems, has returned again," said Hatfield.

"A full diplomatic relationship with Vietnam...would be premature," Hatfield said, but there were "many intermediate steps which would further U.S. interests, help U.S. families, and assist Thailand as it bears the weight of a decade of refugee migrations. Until these steps are taken, the United States will continue to apply patches to the predictable and periodic ruptures that burst in the refugee camps."

Governments Debate as Families Wait for an Answer As the policy debates continue, thousands of Vietnamese wait for an answer, on islands, in makeshift beach shelters, on oil rigs, and on boats.

Khuc Minh Tiet, an American citizen in Virginia, knows that her daughter and granddaughter are in a shelter in Khlong Yai. On the trip through Cambodia, she was separated from her husband and imprisoned for two weeks. He was one of the last boat arrivals to be transferred in December to Phanat Nikhom. "I have tried since 1983 to bring them out through ODP, but Vietnam would not give them exit permits," said Khuc. "I want to sponsor them, but now my family is split apart, my daughter is being held like a prisoner, and I am so afraid she will be sent to the border."

Recent Developments

FROM YEREVAN TO HOLLYWOOD, THE ARMENIANS ARE COMING

For the past several years, Armenian emigration from the Soviet Union was a trickle, comparable to the small numbers of Jews permitted to leave the USSR. In 1986, only 246 Armenians exited the country. Then came Gorbachev's glasnost initiative, as well as the December 1987 summit with President Reagan. During the spring of 1987, the monthly totals of Armenians with exit permission were comparable to the annual totals of the immediately preceding years. As the Reagan/Gorbachev summit approached, the numbers allowed to leave climbed precipitously. In October, the U.S. Embassy in Moscow received 1,364 applications from Armenians with permission to emigrate. By the end of the year, 3,250 Armenians had been permitted to emigrate. Even after the summit, the numbers continued to rise; in January, the embassy received 1,849 Armenian applications. "There is no shortage of people exiting," said Barbara Nagorsky, resettlement coordinator of the International Rescue Committee, who recently returned from the U.S. refugee processing post in Rome. "The numbers seem to be increasing."

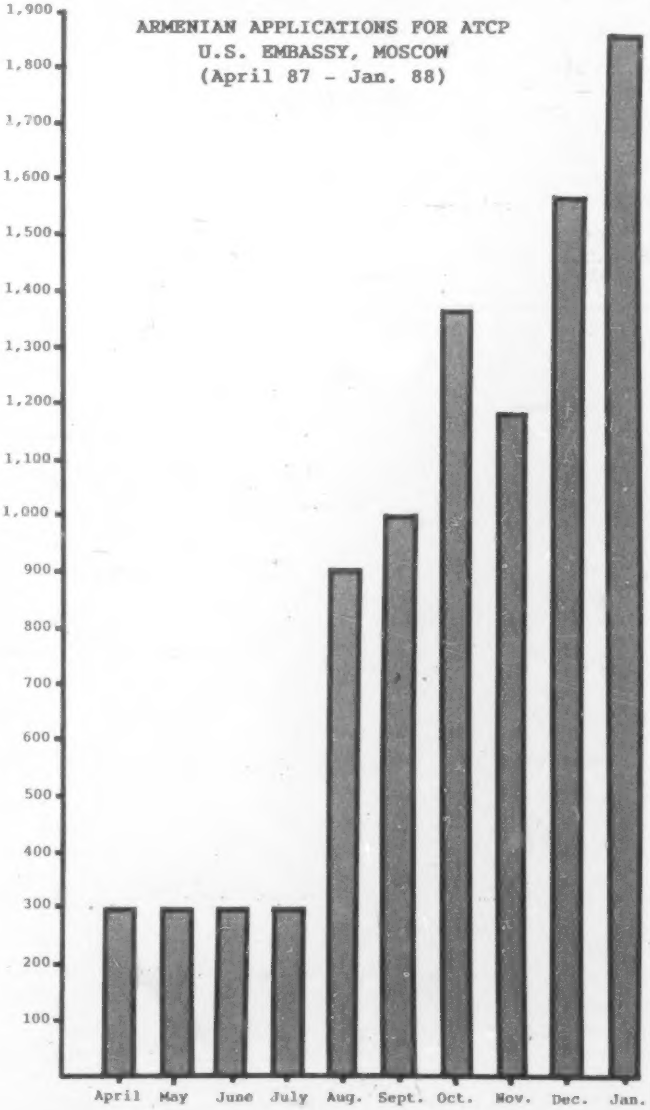
Although the U.S. embassy in Moscow was initially swamped by Armenian applicants--a situation complicated by recent decisions to do away with Russian embassy support staff--the embassy now appears to be handling the situation smoothly.

The Soviet Armenians are arriving in the United States very soon after being granted permission to emigrate. They are being processed through the Accelerated Third Country Processing (ATCP) program whereby they are preprocessed by the U.S. embassy in Moscow and exit the country within the 6 month period that their exit visas are valid. Thereafter, they transit to Rome, where INS approval is almost 100 percent. Nagorsky said that the operation there was "very efficient" and that the average length of stay for Armenians is five days.

State Department officials are anticipating that 12,000 Armenians will enter the United States this year, if present trends continue. Some 85-95 percent of that total will probably resettle in the Los Angeles area, especially East Hollywood, where other recent immigrants from Soviet Armenia have congregated.

"For the Armenian community in Hollywood, the door is open," said Roseann Emerzian Saliba, executive director of the Armenian Evangelical Social Service Center. "People say, 'What can I do?' They roll up their sleeves and help each other."

The Armenian Evangelical Social Service Center has been matching new arrivals with members of the local community who help with enrolling children in school and with orien-



ARMENIAN APPLICATIONS FOR ATCP
U.S. EMBASSY, MOSCOW
(April 87 - Jan. 88)

tation to American life.

Many of those now coming are related to Soviet Armenians who arrived as part of the last major influx in 1979-80. While the U.S. relatives are welcoming their daughters and brothers with open arms, social service providers in the area doubt that they have the financial resources to provide the degree of support needed to get the new arrivals on their feet.

"Many of the anchor relatives are elderly people who themselves are in pretty bad financial shape," said Bruce Whipple, director of the Los Angeles office of the International Rescue Committee. "They simply don't have the resources to support their relatives."

Los Angeles County in Financial Pinch

Joan Pinchuk, the Los Angeles county refugee coordinator, told Refugee Reports, "The Armenian community is really getting stretched. Nobody wants to see people go on welfare, but what families are well enough off to support a whole new family?"

Pinchuk is as aware as anyone of the financial realities in Los Angeles county, since her job involves scraping funds together to support the county's refugee needs.

"We don't have the resources to give our new Americans alternatives with which to assimilate," she said. "Some will be able to make it on their own, but many need additional help."

Pinchuk pointed out that federal refugee resettlement dollars "have been dwindling each year." For example, she said, the targeted assistance program that provided $7 million in FY 83 has fallen to $3 million in FY 88. This has occurred, however, at a time when the refugee population in Los Angeles county has doubled from 600 per month to 1,200 per month.

Pinchuk said that the major crunch at the present time is with classes for English as a second language (ESL). "There are now 40,000 people on waiting lists for ESL classes," she said.

By all accounts, the vast majority of new Armenian arrivals speak no English, and service providers across-the-boards say that the availability of ESL classes will be critical to their successful integration.

California as a whole is in a transition period with the new GAIN program just starting to overhaul the welfare system. Start up funds for GAIN, however, have been only half of what was initially expected, leaving a number of programs in disarray.

"The Armenians came at a time when things would have been in a mess anyway," said the IRC's Whipple.

Pinchuk worries that the strains in the system could result in a backlash toward the new arrivals. "Everyone is asking how we are gearing up, as though we are expecting a plague," she said. "It bothers me that they are being looked upon as intruders."

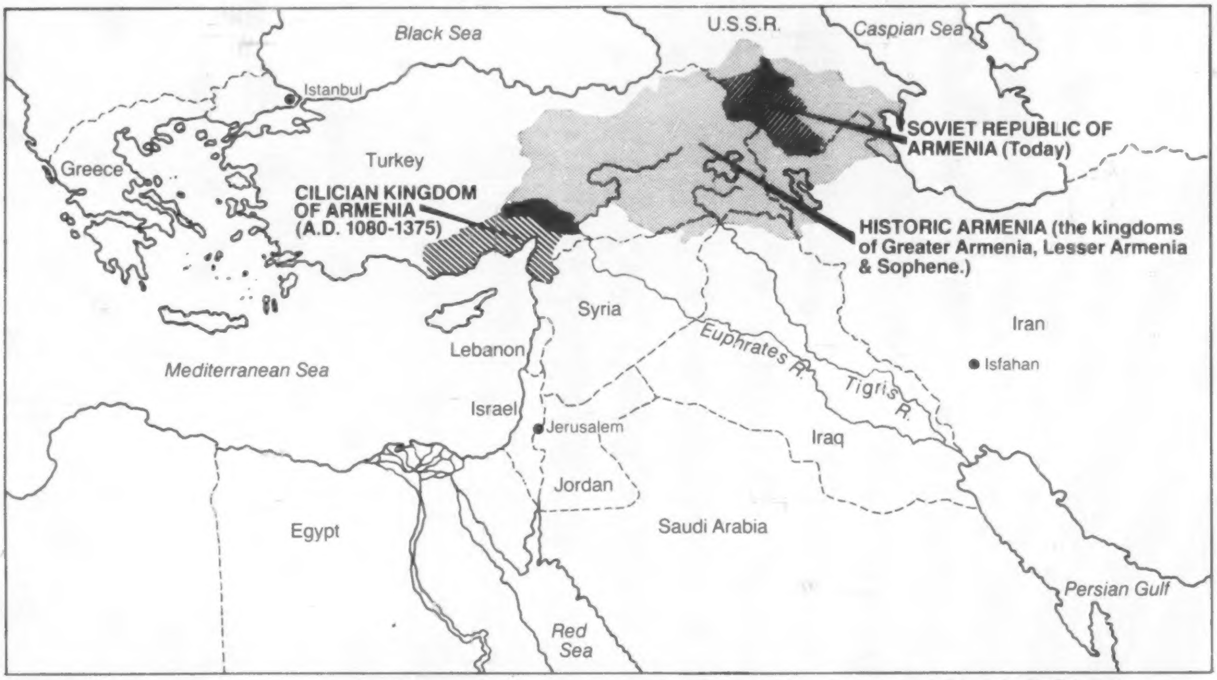
Local service providers are hoping that the federal government will help more with resettlement costs. Sarkis Ghazarian, director of Armenian Relief Society Social Services, an agency directly involved with serving the survival needs of the new arrivals, told Refugee Reports, "If the federal government spends money to bring people in, it should provide sufficient funds for their resettlement."

Pinchuk said, "It is not appropriate for the federal government not to be a partner with local governments in helping people to be self-sufficient."

Ghazarian characterized the Armenians as "hard working people" who want to contribute to the American economy. "But," he said, "we need to gear up more to help them adjust so they do not become permanent welfare recipients."

Culture Shock Local service providers familiar with the Soviet Armenians see effective cultural orientation as a vital element for keeping them off the welfare rolls. Yet, the fast processing of Soviet Armenians, while sparing them the indignity of refugee camps, means that they are arriving with virtually no cultural orientation.

"It is a very big culture shock," said Saliba. She explained that many of these refugees are "repatriates"--people who immigrated into Soviet Armenia in the 1940s coming from Syria, Greece, Lebanon, and the United States, who now are returning--or, for those originally from the Middle East, simply leaving. They have memories of the USSR providing their basic survival needs upon arrival. "They assume America will take care of them in the same way," she said. "Then they see a monthly rent check of $750."


Black Sea
U.S.S.R.
Caspian Sea
Istanbul
Greece
Turkey
SOVIET REPUBLIC OF ARMENIA (Today)
CILICIAN KINGDOM OF ARMENIA (A.D. 1080-1375)
HISTORIC ARMENIA (the kingdoms of Greater Armenia, Lesser Armenia & Sophene.)
Syria
Iran
Isfahan
Euphrates R.
Tigris R.
Lebanon
Mediterranean Sea
Israel
Jerusalem
Iraq
Jordan
Egypt
Saudi Arabia
Persian Gulf
Red Sea

Historic Armenia compared with modern nations/ Armenia: Crossroads of Cultures

Saliba said that they have no understanding of the U.S. welfare system. "The translation of 'welfare' in Armenian is 'tuition,'" said Saliba.

"In the USSR you are due welfare," Whipple observed. "Here we have to tell them we do not approve of it."

Adjustment Concerns One of the first things the local agency personnel would like to do is to produce an Armenian language "Welcome to Los Angeles" cultural orientation booklet which could be distributed in Rome as a "reality check" on what Armenian immigrants are likely to encounter. "They expect all that they see in the movies--great jobs, rich families--plus the services the government provides in the USSR--housing, health care," said Pinchuk.

The new arrivals come with a host of immediate survival needs. "They are not allowed to take more than 100 rubles out of the country, which doesn't go very far," said Ghazarian.

Affordable and decent housing is one of the first hurdles. Rents in Hollywood have been going up monthly, according to Whipple. Yet, he said, "the Armenians are tied to living close to the community."

Hollywood has several disadvantages, a relative high cost of living, and no industrial enterprises for the largely blue collar workers now arriving. Bus transportation is inconvenient to outlying areas where there is factory work; the bus commute to the suburbs takes up to three hours, according to some estimates.

"They all can't live in Hollywood," said Pinchuk.

But Hollywood is the center of the Los Angeles basin's estimated 250,000 Armenians. There are more than a dozen Armenian parochial schools and an equal number of Armenian churches. There are Armenian language newspapers, and active social and political organizations.

Nearby Glendale has become the haven for Armenian refugees from Iran. Although Iranian refugees admitted to the United States are not designated by ethnic group by the State Department, refugee service providers in the Los Angeles area estimate that one Iranian Armenian is being admitted for each two Soviet Armenians. They face many of the same adjustment problems as the Soviet Armenians. "On the whole, the Iranian Armenians are much tougher, more outspoken, more aggressive than the Soviet

Armenians," said Pinchuk.

Ambivalence about Leaving the Homeland

While the Armenian community seems to be united in its welcome of the new wave of Armenian immigrants, it is deeply ambivalent about their leaving in the first place.

Archbishop Vatche Hovsepian, Primate of the Armenian Church Western Diocese, told Refugee Reports, "For any nationality to leave its homeland is very unorthodox, abnormal. It does not please us."

Harut Sassounian, editor and publisher of the California Courier, an English-language weekly for the Armenian community, explained that Armenians have been scattered from their historical homeland, not by choice, but by persecution and massacre, including Turkey's genocidal campaign against the Armenians in 1915. Turkey now controls 90 percent of the Armenian homeland, including its central symbol--Mt. Ararat; the other 10 percent is Soviet Armenia. "Because of the injustice we suffered," said Sassounian, "we all dream of one day returning to our homeland."

Sassounian said, "When Armenians on any part of our historical homeland leave Armenia, they go against the struggle, against our goals."

Sassounian added that he is not personally antagonistic to the new arrivals. "I sympathize with many of them, many are my friends. But the interest of individuals is secondary to the national interest."

Ani Keshishian, associate editor of the Armenian Observer, on the other hand, told Refugee Reports, "No one has the right to say, 'don't go,' when you are not there yourself."

Keshishian said, "Individuals have the right to decide. Why should we stop them coming out when we are in a comfortable situation ourselves?"

Souren Boursalian, editor of Paros, a biweekly in the eastern Armenian language that is directed primarily to immigrants from the Soviet Union, is himself a refugee from the USSR. He shares the ambivalence of the community as a whole. "As an Armenian, I don't like to see Armenians leave the homeland. As a man, I would like to see the Soviet government let out all who want to quit the country."

Boursalian himself is one of the "repatriates" who responded to Stalin's invitation at the close of World War II for Armenians to "return" to Soviet Armenia. At the age of 18 he left Beirut for the USSR. Soon thereafter, he was imprisoned for anti-Soviet activities. He spoke of mistreatment in prison and of being deported to Siberia. "When I could come out, I left. It is not that I didn't love my homeland. I simply couldn't stand it anymore."

"As an Armenian," said Boursalian, "I wouldn't like to see more leave. As a man who believes in freedom, they have to let them out."

SUPREME COURT CLEARS WAY FOR DEPORTATIONS

Aliens who have been ordered to be deported will have a tougher time reopening their deportation proceedings by claiming a need for political asylum if they did not make such a claim at the outset, according to a March 1 Supreme Court decision.

The case, INS v. Abudu, involved a Ghanaian doctor who was ordered deported in 1982 following a guilty plea on drug charges. Abudu's appeal was dismissed by the Board of Immigration Appeals (BIA) in 1984. In 1985, while his petition for review before the Court of Appeals was pending, he filed a motion to reopen his deportation proceeding with the BIA to enable him to apply for asylum and withholding of deportation.

Abudu claimed a fear of persecution if returned to Ghana because the current government, which seized power in 1981, had carried out a systematic campaign of persecution against its enemies, including his brother and other close friends. He also alleged that he had received a surprise visit in 1984 from a former acquaintance who had become a Ghanaian government official. He said that he believed this man was trying to entice him to return to Ghana in order to give information about his brother.

The BIA denied the motion to reopen, saying, among other things, that Abudu had not reasonably explained his failure to request asylum prior to the completion of the deportation process.

The Court of Appeals, however, reversed the order denying the motion to reopen and said that an evidentiary hearing was needed on the asylum and withholding of deportation claims.

Deportable Alien Has "Heavy Burden" on Motion to Reopen The Court's unanimous decision, written by Justice Stevens, sided with the BIA and reversed the Court of Appeals reversal of the BIA. It came down particularly hard on aliens facing deportation who did not make an asylum claim at the outset. Stevens wrote that had Abudu "made a timely application for asylum, supported by factual allegations" an immigration judge would have been required to grant an evidentiary hearing. "We are equally convinced, however," wrote Stevens, "that an alien who has already been found deportable has a much heavier burden when he first advances his request for asylum in a motion to reopen."

The reason for that heavy burden, according to the Court, is that the Attorney General's regulations "plainly disfavor motions to reopen" and that the BIA, as an administrative arm of the Attorney General, has "broad discretion in considering motions to reopen." The BIA has discretion to deny motions to reopen, since granting asylum itself is a matter of the Attorney General's discretion.

Stevens said, "INS officials must exercise especially sensitive political functions that implicate questions of foreign relations, and therefore the reasons for giving deference to agency decisions on petitions for reopening...apply with even greater force in the INS context."

In disfavoring motions to reopen generally, the Court also seemed to be sending a signal that it is dissatisfied with the way deportation proceedings drag on. "There is a strong public interest," Stevens wrote, "in bringing litigation to a close as promptly as is consistent with the interest in giving the adversaries a fair opportunity to develop and present their respective cases."

Court Says BIA Denial of Motion to Reopen is Discretionary The decision held that the standard for judicial review of BIA judgments should be the "abuse of discretion" standard, since the matter is an exercise of the BIA's discretionary function.

Motions to reopen, the Court noted, must be based on at least three grounds. First, the establishment of a prima facie ["at first sight"] case should support the alien's underlying substantive claim. (The Supreme Court declined to decide substantively what constitutes a prima facie case for establishing eligibility for asylum based on a well-founded fear of persecution.) The other grounds for motions to reopen--on which the Court did agree to decide the standard of review--are the introduction of previously unavailable, material evidence or, in the case of asylum applications, a reasonable explanation why the applicant failed to apply for asylum initially. On these two grounds, the Court ruled that the appropriate standard of review is "abuse of discretion," giving the BIA greater latitude to deny motions to reopen than the Court of Appeals had asked for.

Deborah Anker, a lecturer on immigration and asylum law at Harvard Law School, told Refugee Reports that Abudu's case "was not very compelling on the facts" and that "it is not a disaster for the Supreme Court to say that there is not enough here to warrant an abuse of discretion."

Anker said that Stevens' opinion was narrowly drawn. By confirming that "abuse of discretion" is the standard of judicial review, she suggested that the court is placing asylum questions in the language of administrative law, according to which administrative decisions can be overruled. "The manner in which the Supreme Court articulated the 'abuse of discretion' standard for judicial review is a far cry from holding that the immigration authorities have unfettered discretion to deny motions to reopen," she said.

Critics Charge Court Puts Expediency Before Lives Although the decision was unanimously voted on by the Court (with Justice Kennedy abstaining because he had not been present for oral arguments), it was not noncontroversial.

Maurice Roberts, former chairman of the BIA, and currently editor of the immigration law weekly, Interpreter Releases, wrote in his publication that the Court's analysis "sends out deeply disturbing signals."

Roberts noted that there are many reasons for an alien's failure to request asylum at the outset. He noted that the alien could fear reprisals against family members back home if word of his asylum claim got back to the authorities, or that he could learn more about the possibilities of persecution over a period of time. More simply, Roberts suggested, failure could be due to ignorance or incompetence on the part of the alien's legal representative or to the lack of representation.

"It seems to us," wrote Roberts, "that in balancing the alien's plight against administrative convenience and giving greater weight to the latter, the Court here somehow dilutes the principles which have made us a great nation. What is so sacred about administrative convenience when a person's life may be at stake?"

Arthur Helton, director of the political asylum project of the Lawyers Committee for Human Rights, told Refugee Reports that there are many other reasons for refugees to hesitate in presenting their asylum claims to the authorities in addition to the fear of retribution towards relatives in the homeland, including fear of the U.S. authorities themselves. Helton also said that many cling to the hope of returning to their homeland and are hesitant to sever ties, as occurs with asylum. Therefore, they often tend first to try other less final avenues of relief from deportation.

"The decision, like the regulations it is based upon, ignores this reality," said Helton.

Helton said, however, that the decision basically gives latitude to the government agency to determine its own rules. And, Helton noted, the asylum regulations are currently under consideration. "They could change," he said. "The Attorney General could decide that discretion could be exercised more generously."

The Justice Department withdrew its proposed asylum regulations last October following criticisms from a wide range of legal and advocacy groups.

Update

° On March 15, the Senate approved the Kennedy-Simpson legal-immigration bill by a vote of 88 to 4. Sen. Alan K. Simpson (R-Wyo.) did not opt to introduce an amendment to the bill concerning refugee admissions (see Refugee Reports, Vol. IX, No. 2).

° The full Senate is expected to vote the week of March 21 on the DeConcini/Moakley bill (S. 332) that would suspend deportation of Salvadorans and Nicaraguans for up to two years.

° Nicaraguan asylum approvals for FY 88 are running at 83 percent, which is comparable to last year's rate, and far above the approval rate of other Central American nationalities, such as Salvadorans at 4.4 percent and Guatemalans at 0 percent. The Immigration and Naturalization Service (INS) indicated last year that the Nicaraguan approval rates of 84 percent for FY 87 were inflated because drafted denials had not been completed due to "clerical shortages in two INS offices, including one with the vast majority of Nicaraguans."

It now appears unlikely that the FY 87 figures will be adjusted. INS sources in Washington have told Refugee Reports that only a very few, infrequent denials have come out of the Miami INS office, where most of the Nicaraguans apply. Sources say that "intents to deny" have been drafted, but not processed. INS sources attribute this to an "administrative lag."

° The Federal Court of Canada has prohibited the Immigration Appeal Board from making a determination of an alien's refugee status because of a possible appearance of bias. The court ruled that the government's pending refugee bill (C-55) created a "reasonable apprehension of bias...that the existing board members will tend to lean in favor of the government's position." C-55 would dismiss all present members of the board and only rehire some of them. This, the court ruled, would make board members "think that their immediate financial future is unsettled and in the hands of the government."

The court decision would seem to tie up the Canadian asylum adjudication system for the foreseeable future. Sergio Marchi, a Liberal member of Parliament, told the Toronto Globe and Mail, "We simply can't close down the shop because there might be a modification in a particular board. It's going to be a long time before C-55 is proclaimed. In the meantime, there must be some way for the system to continue."

The same paper quoted David Matas, the alien's lawyer who raised the issue, saying, "It is very unusual for a bill to be attacked in the courts before it becomes law."

He said, "It shows that the government's legal position is legal bravado."

° Romania announced in late February that it would renounce most-favored-nation (MFN) trade status as of July 2. The decision apparently reflects Romanian dissatisfaction with the linkage of MFN trade status and the right to emigrate dating back to the Jackson-Vanik amendment.

° On February 25, the Office of Refugee Resettlement (ORR) published its proposed FY 88 allocations of $55.5 million in social service funding to states (Federal Register, Vol. 53, No. 37). Of this sum, ORR proposed to allocate $53 million on the basis of each State's proportional share of the national population of refugees and entrants who have been in the United States 3 years or less, as of October 1, 1987. ORR estimates the national population of "time-eligible" refugees and entrants to be 195,565.

An additional $2.5 million would go to incentive grants for refugee community groups, or mutual assistance associations (MAAs). ORR would retain $10 million to spend on a discretionary basis for projects to promote "effectiveness and efficiency" in the resettlement program. Two initiatives that will continue to be funded with this discretionary money include the Favorable Alternative Sites Project (FASP) and the Planned Secondary Resettlement (PSR) program, designed to encourage, respectively, the initial and secondary resettlement of refugees away from areas of high impact.

Unless a state obtains a waiver from ORR, it is required to spend at least 85 percent of its social service funding for employment services, English language training, and case management services.

Comments on the proposed allocations should be sent by March 28 to Toyo Biddle, Office of Refugee Resettlement, Room 1229, Switzer Building, 330 C Street SW, Washington, DC 20201. (202) 245-1924.

° On March 4, ORR published an announcement of its allocation of $34,466,000 in FY 88 targeted assistance grants. Targeted assistance funds are supplemental grants to counties where there are factors "such as unusually large refugee and entrant populations, high concentrations, and high use of public assistance."

The conference report on the Continuing Resolution passed in December provided $10,531,000 in special targeted assistance funds to Dade County schools and Jackson Memorial Hospital in Florida. Of the remainder, an additional $6.3 million goes to Florida and $9.8 million to California, with the rest divided among 18 States.

° The Department of Education has proposed changes in the regulations for transitional programs for refugee children. The proposed amendments to the regulations, published in the February 26 Federal Register, would define eligible local educational agencies (LEA) as those serving at least 20 eligible refugee children. The Department of Education said that "if an LEA has fewer than 20 eligible students, it does not have a 'demonstrated need' for Federal assistance under this program.

The proposed regulations would also take away emergency funding authority to respond to emergencies in which a sudden influx of refugees results in substantial or disproportionate increases in refugee children enrollment after the grants have been awarded. The Education Department explained its rationale for proposing to drop this emergency funding authority by saying, "It is not anticipated that a sudden influx of refugees that would necessitate use of this funding authority will occur in the foreseeable future."

The transition program for refugee children currently provides assistance through grants to State educational agencies and subgrants to LEAs to provide special educational services to refugee children enrolled in public and nonprofit private schools.

Comments on the proposed regulations must be received by the Department of Education before April 26, 1988. They should be sent to Alicia Coro, Director, Office of Bilingual Education and Minority Languages Affairs, U.S. Department of Education, 400 Maryland Ave. SW, Room 421, Washington, DC 20202.

° The Reagan Administration has submitted its proposed FY 89 refugee budgets for the Department of State and the Office of Refugee Resettlement in the Department of Health and Human Services. The FY 89 State

Department budget for refugee migration and assistance of $340,000,000 is based on estimated admissions of 68,500. In contrast, the ORR budget of $278,883,000 is based on an admissions figure of 51,000 (see charts below). Government officials point to the Office of Management and Budget as the architect of both budgets, but cannot provide an explanation for the discrepancy.

Refugee Reports will provide a more comprehensive analysis of the federal refugee budget in next month's issue.

ORR REFUGEE AND ENTRANT ASSISTANCE BUDGETS, 1987 to 1989

	1987 Enacted	1988 Estimated	1989 Request	Increase or Decrease 1988 to 1989
Cash and medical assistance (CMA)	225,316,000	207,043,000	182,304,000	-24,739,000
State administration of CMA	33,797,000	26,231,000	21,454,000	- 4,777,000
Social Services	68,617,000	65,694,000	-0-	-65,694,000
Employment services	Not Applicable	N/A	30,000,000	+30,000,000
Voluntary agency matching grant program	3,828,000	7,659,000	7,659,000	Same
Preventive health	8,039,000	5,840,000	3,000,000	- 2,840,000
Targeted assistance	-0-	34,466,000	34,466,000	Same
TOTAL	339,597,000	346,933,000	278,883,000	-68,050,000

Source: Office of Refugee Resettlement, Family Support Administration, Department of Health and Human Services.

STATE DEPARTMENT REFUGEE AND MIGRATION ASSISTANCE BUDGETS 1987 to 1989

	1987 Enacted	1988 Estimated	1989 Request	Increase or Decrease 1988 to 1989
Refugee Admission Program	108,731,000	119,548,000	115,400,000	-4,148,000
Refugee Assistance Overseas	194,725,000	176,200,000	197,100,000	+20,900,000
Other Assistance	34,900,000	34,702,000	19,500,000	-15,202,000
Administrative Expenses	8,500,000	8,000,000	8,000,000	--
TOTAL	346,856,000	338,450,000	340,000,000	+ 1,550,000

Source: Department of State

Resources

AUTHORS FIND AMERICA HAS HALF-OPENED DOOR TO REFUGEES

The United States has responded with generosity and compassion to certain refugees since 1945, but, "for each example of the open door, there is another of the doors banging shut," say Gil Loescher and John A. Scanlan, authors of Calculated Kindness: Refugees and America's Half-Open Door, 1945-Present.

The 346-page book is a comprehensive history of the development of refugee policy in post-World War II America. The authors are careful to give due credit to the genuine progress the United States has made in its attitudes toward and treatment of refugees.

"In the four decades since the end of World War II," the authors observe, "American immigration politics have become notably less racist and more humane. The improvement in the general immigration environment has been matched by a greater federal awareness that refugees have special claims, and a greater willingness to ignore such factors as race or religion in fashioning special immigration opportunities for them."

However, this humanitarianism, as the book's title suggests, is tempered by political concerns. The authors are careful not to suggest that refugee policy decisions are wholly motivated by politics, but rather are a symbiosis of humanitarian and political impulses. "Concern over the fate of hundreds of thousands of people who are starving, or fearful of persecution on political grounds, or both, goes hand in hand with concerns over regional stability, overburdened countries of first asylum, and the positive political gains to be made by presenting a negative image of communist rule." Loescher and Scanlan maintain that "when no linkage exists, however, humanitarian motives have been almost always overwhelmed by political calculation."

Late 1970s Southeast Asian Refugee Program Given High Marks The book communicates the unique chemistry of events and interests that resulted in the United States' greatest success in refugee protection following the fall of Saigon, the Vietnamese boat people exodus, and the aftermath of the Cambodian holocaust. The authors capture the historical moment, and paint a lively and interesting picture of the heroes who made the rescue effort possible--from private sector movers and shakers, such as Leo Cherne of the International Rescue Committee, to the State Department's "Saigon Cowboys," Shepard Lowman, Lionel Rosenblatt, and Hank Cushing, whose singular intensity and commitment spurred the government apparatus to action above and beyond the usual bureaucratic response.

Although a genuinely humanitarian response, the authors are cognizant of the political context of the effort. While noting that the Southeast Asian refugee programs "were marked by considerable selfless generosity....they revealed the ability of a few dedicated people to shape public policy, the influence of humanitarian coalitions, and the importance of strong Presidential leadership. However, they also demonstrated how conscious those making policy were of the geopolitical significance of their actions."

The Door Closes In a chapter entitled "Reagan and the Closing Door," the authors say that the welcome in the 1980s has become less generous and more motivated by ideological considerations on the part of the Administration and more restrictionist sentiment in Congress. The two impulses have played together to the detriment of refugees and asylum seekers. "While the resurgence of restrictionist politics in the United States has played a major role in keeping overall refugee numbers down, it is ideology which has determined how the numbers that remain will be distributed."

The authors level their strongest criticism at the double standard that has discriminated against refugees from Haiti, El Salvador, and Guatemala and resulted in their return to dangerous conditions. "The virulence of the government's campaign against Haitian and Salvadoran asylum seekers in recent years is unmatched," the authors charge.

Calculated Kindness is published by the Free Press, a division of Macmillan, Inc., New York, and listed at $22.50. It can be ordered through local bookstores.

U.S. REFUGEE POLICY EXAMINED

A recently published book surveys the development of U.S. refugee policy and current U.S. practices with regard to refugee admissions and asylum.

The Guarded Gate: The Reality of American Refugee Policy, by Norman L. Zucker and Naomi Flink Zucker, finds that foreign policy and immigration interests have, over the years, eclipsed humanitarian concerns in determining U.S. refugee policy. "Refugee policy does not in fact serve refugees;" the authors charge, "rather, it designates as refugees those who serve the policy."

The authors survey the past century of U.S. refugee policy, and find a tug-of-war throughout the decades between restrictionists and those favoring more liberal admissions policies. U.S. immigration policy has been dominated by the restrictionist camp, the authors find, from the Chinese Exclusion Act of 1882 to the McCarthy-era McCarren-Walter Immigration and Nationality Act of 1952, which remains the core of U.S. immigration policy to this day. "For over a century," the authors contend, "America has had a guarded gate, a gate always closed to some, a gate opened selectively to others. In American refugee history, myth and reality, welcome and rejection merge."

The Zuckers analyze the reasons why the few who are admitted pass through the gate. They maintain that "knowing why refugees are admitted will inevitably reveal who will be admitted." U.S. foreign policy determines who is eligible for admission; but who actually is admitted depends on other factors, most notably the numbers of those pressuring for admission and the likelihood of low-cost and domestically unopposed resettlement.

The authors look closely at the Refugee Act of 1980, including the developing picture of resettlement and the involvement of voluntary agencies and refugee mutual assistance associations. Although noting the Act to be an improvement, the Zuckers find that refugee admissions continue to be determined largely by ideology and geography. "Before a person may be granted refugee status," they write, "two determinations must be made. First, whether refugee numbers have been allocated for the region of a person's nationality; and second, whether the person is within a group designated to be of 'special humanitarian concern.'"

The Guarded Gate goes into high gear in chapters devoted to Haitians and Central Americans, where concrete evidence of discriminatory treatment lends weight to the book's themes. This portion of the book also sheds interesting light on the sanctuary movement, suggesting that the Tucson-based originators of the movement, such as Jim Corbett, take an essentially humanitarian approach of direct assistance to refugees while the Chicago Religious Task Force, the national hub of the movement, takes a more political approach. "The Tuscon people say with great conviction that if Congress would pass bills awarding Extended Voluntary Departure to Salvadorans and Guatemalans [see update], their movement would disappear entirely. Chicago, on the other hand, will persist in its fight until the United States withdraws from Central America."

The authors propose the establishment of a refugee admission priority scale, applicable to both overseas refugees and asylum seekers within the United States, which would assess those refugees most in need of U.S. protection. Refugees who had already suffered persecution and who had little or no chance of returning to their homeland would be accorded the highest priority. "Allocations," the Zuckers write, "would not be based upon the recommendations of the State Department, and would not be assigned geographically, but would be based on the actual needs of refugees worldwide."

The Guarded Gate, published by Harcourt Brace Jovanovich, is priced at $22.95 and can be ordered through local bookstores.

CORRECTION NOTICE

Readers have called to our attention a typographical error concerning African processing out of Europe. It appeared in Vol. VIII, No. 12 (the December 18, 1987 statistical edition of Refugee Reports).

Footnote a/, page four, should read: P-5 processing is available only for those who registered with a voluntary agency or with the UN High Commissioner for Refugees (UNHCR) before November 19, 1986, or those fleeing from Eastern Europe.

INDOCHINESE CAMP POPULATIONS

COUNTRIES OF ASYLUM/RPCs	POPULATION AS OF 12/31/87	POPULATION AS OF 12/31/86	TOTAL ARRIVALS SINCE 1975
First Asylum			
Hong Kong	9,532	8,039	130,071
Macau	518	620	7,652
Indonesia	2,456	3,890	102,731
Malaysia	9,120	9,044	225,200
Philippines	3,405	2,672	41,869
Singapore	311	61	33,033
Other	775	1,214	41,083
Thailand			
--Khmer	22,974	26,412	238,061
--Highlanders	53,088	57,134	143,706
--Lao	20,644	26,181	188,696
--Vietnamese Land	908	718	30,776
--Vietnamese Boat	13,627	6,305	96,713
Subtotal Thailand	111,241	116,750	697,952
Subtotal Land Refugees	97,614	110,461	601,255
Subtotal Boat Refugees	39,744	31,829	678,336
TOTAL 1ST ASYLUM	137,358	142,290	1,279,591

Source: Department of State

REFUGEE REPORTS is published monthly for $28.00 per year for one subscription, $20.00 each for two or more subscriptions to the same addressee, or $20.00 each for ten or more subscriptions requested at the same time, mailed to separate addresses; overseas postage, $24.00 additional; by ACNS, 95 Madison Avenue, Third Floor, New York, NY 10016. Second Class Postage paid at New York and additional mailing offices. POSTMASTER: send address changes to *Refugee Reports*, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204.

Editorial comments and inquiries should be sent to: *Refugee Reports*, 815 Fifteenth Street NW, Suite 610, Washington, DC 20005. All communications regarding subscriptions should be sent to: Refugee Reports Subscriptions, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204. (615) 377-3322.

Basic subscription rate for 12 issues per year: $28.00; Multiple-copy rate: $20.00; Single copies of back issues: $2.50
Editor: Virginia Hamilton; Staff Writers: Bill Frelick, Court Robinson
Distribution Manager: Carolyn Moore; Production Coordinator: Kouia Papanicolas
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Volume IX, Number 4

April 15 1988

STATES PROTEST DEEP CUTS IN ADMINISTRATIVE BUDGETS, SAY WELFARE COSTS WILL INCREASE

In a year that may see 15,000 more refugees enter the United States than were originally expected, the federal government is imposing, among other reductions, a 38 percent cut in funding for state administration of refugee programs. The result, state refugee officials say, will be the closing of state refugee programs in up to 11 states, the elimination of key services in others, and an overall increase in welfare dependency rates, which had fallen in FY 87.

On March 3, the Office of Refugee Resettlement (ORR) in the Family Support Administration (FSA) sent a letter to state refugee coordinators nationwide reminding them that the FY 88 Continuing Resolution enacted on December 22 created a separate line-item in the budget for state administrative costs. In all previous refugee budgets, these costs had been included in the amount provided for cash and medical assistance. The $26,231,000 that Congress appropriated for state administrative costs, moreover, was only 62 percent of actual state expenditures for the previous year.

All further allocations in FY 88 for state administrative costs, the letter indicated, would have to account retroactively for the 38 percent reduction in funds. Since states had been spending at FY 87 levels for the first half of FY 88, the cut for the remainder of the fiscal year is all the more severe.

"The retroactive nature of the cut devastates the program," wrote Wisconsin's state refugee coordinator, Jules Bader, in a letter to Rep. Steve Gunderson (R-Wis.). "In actuality, it is a 76 percent decrease in expenditures for the last half of FY 88." Administrative costs in Wisconsin were $807,126 last year, said Bader. They must be reduced to $499,672 this year. With the bulk of this amount already spent by April 1, "this leaves a balance of $96,854 for all administrative costs for 6 months. Continued operation at that level will be impossible."

Wisconsin's refugee population is 22,292, the great majority of whom are Southeast Asian. Nearly 1,800 refugees, mostly Hmong, resettled in Wisconsin in 1987, and similar figures are expected in 1988, Bader said.

"The timing was a total disaster," acknowledged

IN THIS ISSUE:

Federal budget cutting is taking a toll on state refugee programs, at a time when refugee admissions are on the increase. We look at the consequences of these cuts, particularly in terms of their impact on refugee welfare dependency..........1

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one ORR official. "Many states are in jeopardy. But we are in the kind of situation where every program has to take a cut."

The ORR budget for refugee and entrant assistance dropped by more than $68 million in FY 88. The Administration had proposed a figure of $33.8 million for state administration in submitting the FY 88 budget early last year, but Congress cut that down to $26 million.

Government sources indicate that the cut was made to bring refugee state administration costs, as a percentage of cash and medical assistance costs, in line with the mainstream welfare program, AFDC (Aid to Families with Dependent Children). Administrative costs for AFDC are about 12 percent of total program costs.

Survey of States Shows Negative Impact of Cuts Such a view, according to Arizona refugee state coordinator, Linda Bacon, betrays a fundamental misunderstanding of the refugee program on the part of the federal government. "They see this as a welfare program," she told Refugee Reports, "when, in fact, this is a social service program, of which welfare is only a part, and frequently a temporary measure of last resort."

Furthermore, Bacon said, "When they cut state administration, they are cutting the very thing that makes people self-sufficient." In a briefing paper she developed with Marvin Weidner, chief of the Iowa Bureau of Refugee Programs, Bacon pointed out that refugee state-administrative costs currently include direct costs for the operation and coordination of the program, indirect costs associated with state government, and case management for clients receiving cash and medical assistance.

Case management services will have to be eliminated in 17 of 32 states surveyed by Bacon and Weidner in February. These services vary from one state to the next, but generally involve a bilingual case manager working with new arrivals to determine eligibility for cash and medical assistance, assess the need for other services and make referrals, monitor progress, and follow up as appropriate. The survey quoted one state coordinator as saying, "When you take away our case management dollars, you eliminate our bilingual staff. Without our bilingual staff, there is no capability to help people stay out of welfare and become self-sufficient."

"Case management has contributed significantly to a lowering of welfare dependency by at least five percent at the national level," said Ron Spendal, state coordinator for the Oregon refugee program. "It is something that ORR has encouraged and now it is being cut." Oregon has been operating a refugee demonstration project for the last two years that relies on intensive case management. In that time, Spendal said, refugee welfare dependency during the first 18 months in the United States fell from 80 percent to 29 percent, with a savings of about $1 million over a two-year period.

One important reason for this success is that a case manager in the demonstration

Below are the results of a March 4, 1988 telephone survey conducted by state refugee coordinators of ORR state offices regarding the impact of the reduction in the FY 88 ORR state-administration allocation.

1. States that have already expended up to or beyond their annualized allocations

Massachusetts, Michigan, Minnesota, Wisconsin, Washington, Oklahoma, Mississippi, Connecticut, Tennessee

2. States that will expend the allocation at current rates in the period April-May

Washington D.C., North Carolina, Maine, Ohio, Kentucky, Illinois, Montana, Colorado, Texas, Nevada, Arizona

3. States that will have to implement substantial contract and/or staff reductions in order to complete the fiscal year

Maryland, Oregon (June-July), Florida, Iowa, North Dakota, New Jersey

COMPARISON OF REFUGEE DEPENDENCY RATES

	FY 1987			FY 1986			Change from FY 86 to FY 87
STATE	POPULATION	CASH RECIPIENTS*	DEPENDENCY RATE	POPULATION	CASH RECIPIENTS**	DEPENDENCY RATE	12 months DEPENDENCY RATE
ALABAMA	629	182	28.9%	872	282	32.3%	- 3.4%
ALASKA	62	0	0.0%	0	0	0.0%	0.0%
ARIZONA	2,246	111	4.9%	2,298	118	5.1%	- 0.2%
ARKANSAS	453	114	25.2%	470	32	6.8%	18.4%
CALIFORNIA	62,460	48,147	77.1%	65,853	57,259	86.9%	- 9.9%
COLORADO	1,783	665	37.3%	2,078	677	32.6%	4.7%
CONNECTICUT	1,975	281	14.2%	2,018	486	24.1%	- 9.9%
DELAWARE	64	17	26.6%	55	26	47.3%	-20.7%
D. COLUMBIA	482	17	3.5%	443	26	5.9%	- 2.3%
FLORIDA	3,735	1,697	45.4%	3,788	1,595	42.1%	3.3%
GEORGIA	2,573	486	18.9%	2,899	696	24.0%	- 5.1%
HAWAII	812	442	54.4%	747	451	60.4%	- 5.9%
IDAHO	529	74	14.0%	845	104	12.3%	1.7%
ILLINOIS	6,858	2,087	30.4%	7,343	2,865	39.0%	- 8.6%
INDIANA	482	109	22.6%	671	202	30.1%	- 7.5%
IOWA	1,380	340	24.6%	1,767	522	29.5%	- 4.9%
KANSAS	1,734	722	41.6%	2,172	1,133	52.2%	-10.5%
KENTUCKY	616	96	15.6%	664	300	45.2%	-29.6%
LOUISIANA	1,843	346	18.8%	2,228	356	16.0%	2.8%
MAINE	514	97	18.9%	763	290	38.0%	-19.1%
MARYLAND	2,643	826	31.3%	3,127	937	30.0%	1.3%
MASSACHUSETTS	7,212	5,307	73.6%	7,799	5,616	72.0%	1.6%
MICHIGAN	2,881	1,143	39.7%	2,681	1,157	43.2%	- 3.5%
MINNESOTA	5,411	3,574	66.1%	4,854	3,560	73.3%	- 7.3%
MISSISSIPPI	261	53	20.3%	306	104	34.0%	-13.7%
MISSOURI	1,687	402	23.8%	1,907	337	17.7%	6.2%
MONTANA	101	46	45.5%	76	26	34.2%	11.3%
NEBRASKA	334	124	37.1%	422	126	29.9%	7.3%
NEVADA	683	110	16.1%	727	166	22.8%	- 6.7%
NEW HAMPSHIRE	228	15	6.6%	229	30	13.1%	- 6.5%
NEW JERSEY	2,488	605	24.3%	2,451	705	28.8%	- 4.4%
NEW MEXICO	327	95	29.1%	374	102	27.3%	1.8%
NEW YORK	12,461	5,013	40.2%	12,522	4,757	38.0%	2.2%
N. CAROLINA	1,316	155	11.8%	1,478	139	9.4%	2.4%
NORTH DAKOTA	207	40	19.3%	369	68	18.4%	0.9%
OHIO	2,115	1,203	56.9%	2,419	1,449	59.9%	- 3.0%
OKLAHOMA	1,164	157	13.5%	1,823	233	12.8%	0.7%
OREGON	2,017	886	43.9%	2,349	1,185	50.4%	- 6.5%
PENNSYLVANIA	4,710	1,828	38.8%	5,202	2,558	49.2%	-10.4%
RHODE ISLAND	1,340	552	41.2%	1,659	844	50.9%	- 9.7%
S. CAROLINA	181	13	7.2%	237	47	19.8%	-12.6%
S. DAKOTA	270	25	9.3%	294	23	7.8%	1.4%
TENNESSEE	1,868	326	17.5%	1,875	444	23.7%	- 6.2%
TEXAS	10,614	1,513	14.3%	12,198	2,374	19.5%	- 5.2%
UTAH	1,349	236	17.5%	1,770	523	29.5%	-12.1%
VERMONT	201	56	27.9%	156	90	57.7%	-29.8%
VIRGINIA	4,782	1,324	27.7%	5,295	1,740	32.9%	- 5.2%
WASHINGTON	6,920	4,534	65.5%	7,378	5,928	80.3%	-14.8%
W. VIRGINIA	23	10	43.5%	60	21	35.0%	8.5%
WISCONSIN	2,560	1,929	75.4%	1,933	1,670	86.4%	-11.0%
WYOMING	6	2	33.3%	18	13	72.2%	-38.9%
GUAM	29	11	37.9%	43	26	60.5%	-22.5%
OTHER	2	0	0.0%	0	0	0.0%	0.0%
TOTAL	169,621	88,143	52.0%	182,005	104,418	57.4%	- 5.4%
CALIFORNIA	62,460	48,147	77.1%	65,853	57,259	86.9%	- 9.9%
US w/o CA	107,161	39,996	37.3%	116,152	47,159	40.6%	- 3.3%

* As of 9/30/87 **As of 9/30/86

Source: Office of Refugee Resettlement

project handled an average of 35 cases, while in the mainstream welfare program, case workers could be responsible for up to 200 cases each, according to Spendal. "Effective case management does involve early high costs," he said, "but it creates long-term savings."

According to ORR figures, 34 states reduced their refugee welfare dependency rates in FY 87, with an overall decrease nationally from 57.4 percent in FY 86 to 52 percent in FY 87 (see chart, p. 3).

The cut in state administration will have other negative effects besides the reduction or elimination of case management services, according to Bacon and Weidner's survey. Six coordinators responded that their state's involvement in the refugee resettlement program would "definitely" not continue and five more said it would "probably" not continue. Eighteen said that key services like employment and language training will be "diminished or eliminated," and 24 said the cut would cause a "significant reduction" in staff size and capability.

In addition to funding case management services, Bacon said, state refugee offices are responsible for service contracting and coordination, technical assistance, and mediating between the many different agencies and interests involved in resettlement. All of these functions will be lost or greatly diminished by the cuts in state administration, she said. The result, in Arizona at least, is that "they won't reduce welfare, they will double it."

Welfare dependency among refugees in Arizona is only 4.9 percent, according to Bacon. "People take jobs within one week, but the only way to keep them there is through social adjustment services," she said, the kind of personal intervention that deals with the client's medical problems, transportation needs, family issues, and the like. Without such attention, many will quickly be out of work again, Bacon predicted, and welfare rates will go up.

The roughly $200,000 that the federal government saves in Arizona will cost them twice that much in welfare payments, Bacon said. "And in the first scenario, refugees are working, while in the second, they are not."

ORR Offers More Flexibility in Recovering Admin Costs Following appeals for help from state refugee coordinators and private voluntary agencies, six senators from key refugee policy and budget appropriations subcommittees wrote a letter on March 4 to the Secretary of Health and Human Services, Otis Bowen, urging him to give the states "more flexibility" in defining administrative costs. The FY 88 reduction, which Congress originally had estimated as a 22 percent cut from the previous year, would actually be "in excess of 50 percent," the letter said, "because it now appears that actual administrative costs were higher than we realized in FY 87, and because the entire cutback must be compressed into the few remaining months of FY 88."

The letter was signed by Sens. Lawton Chiles (D-Fla.), Lowell P. Weicker, Jr. (R-Conn.), Edward M. Kennedy (D-Mass.), Mark O. Hatfield (R-Ore.), Tom Harkin (D-Iowa), and Patrick Leahy (D-Vt.).

On March 21, ORR Director Bill Gee sent a letter to his regional offices clarifying that ORR intended to provide "maximum flexibility" to states in claiming administrative costs. The letter informed states that they could charge all direct and indirect costs, as well as costs for case management, to their social service budgets or to up to five percent of their targeted assistance grant, if they received such funding.

California faces a cutback of $5.5 million in administrative costs this year, according to Walter Barnes, refugee program manager for the state. The cost of case management services, which he estimates at $1.4 million in FY 88, will come primarily out of social service funding. Another $2.5 million is available in rollover funds from last year, but "we don't know where we will get the rest," he told *Refugee Reports*. "The fact is that for this year and the next, we will have less funds to deal with more refugees. Welfare will go up, and those that go on aid will stay on longer because they won't have access to services."

"But is it legitimate," asked Oregon's Spendal, "to force the cutback or elimination of direct services in order to finance state administration?" He recommended, instead, that administrative costs be folded back in with cash and medical assistance in the ORR budget. "That way," he said, "if states continue to drive down welfare dependency rates, there would be some additional funding available for administrative costs."

It is also time, Spendal said, for the states to sit down with the federal government and agree upon a definition of administrative costs that makes sense for the refugee resettlement program. "We administer a great many other things besides welfare," he said, "but all they see us doing is welfare. That is a very restricted view."

States Also Protest Cuts in Cash and Medical Assistance As of February 1, according to a recent ORR announcement, the period of federal reimbursement to states for the costs of providing cash and medical assistance to refugees has been reduced from 31 months to 24 months, a move that has sparked protest, and at least four legal suits, from state and county governments. The December 30 announcement stated that, "The funds available under the Continuing Resolution are not sufficient to enable ORR to continue to fund states for assistance to refugees during their first 31 months in the United States for the duration of FY 88."

In a letter to Sen. Kennedy, chairman of the Subcommittee on Immigration and Refugee Affairs, the National Governors' Association charged that ORR funds are insufficient because "the FY 88 budget request from ORR was based on 52,000 refugee arrivals, while in October the President approved refugee admissions for FY 88 at 68,500. Instead of requesting additional funding to meet projected needs, ORR chose to reduce federal reimbursement and shift the costs to state and local governments."

This discrepancy between ORR estimates, for budgetary purposes, of refugee arrivals and State Department estimates of refugee admissions ceilings persists in the FY 89 budget proposals. ORR uses a planning figure of 51,000, while the State Department uses 68,500. Gee told *Refugee Reports* in late February that the ORR figure "was strictly based on the money we had assigned to us...by the OMB [Office of Management and Budget] budget people." Government sources point to OMB as the architect of what one official described as a "squeeze play" designed to force either reductions in refugee admissions or reductions in domestic resettlement services, or both.

"OMB is posing for holy pictures when it comes to admissions," said Rep. David Obey (D-Wis.), "but it wants to leave someone else holding the bag here at home. That won't go down well in my district." Obey is chairman of the Foreign Operations Subcommittee of the House Appropriations Committee. OMB officials could not be reached for comment.

The ORR proposed budget for FY 89 would continue the 24-month period of federal reimbursement to cover the normal state share of assistance paid to refugees who meet family composition and other criteria for AFDC, Medicaid, and SSI (Supplemental Security Income). For special cash and medical assistance provided to refugees who are not AFDC-eligible, ORR has proposed in FY 89 to reduce the period of federal reimbursement to states from 18 to 12 months.

In another significant cut, the $65,694,000 that was appropriated for social services in FY 88 would be reduced to $30,000,000 in FY 89, with funding limited strictly to employment services. Funding for state administration would drop an additional $4,662,000.

Additional Arrivals This Year Pose More Money Problems With states and counties already feeling hard-pressed by funding cutbacks in FY 88, the Administration will be consulting with Congress on the prospect of admitting up to 15,000 more refugees in FY 88, without increasing either the State Department or ORR budgets. It is presumed that the majority of these new numbers will be used to resettle Armenians from the Soviet Union (see *Refugee Reports*, Vol. IX, No. 3).

Government officials say that no supplemental appropriations are likely this fiscal year, thanks to a budget "summit" agreement reached last December between Congress and the Administration. "We recognize there is a critical funding problem" in FY 88, said Ambassador Jonathan Moore, U.S. Coordinator for Refugee Affairs, in testimony before Obey's appropriations subcommittee. He estimated that $25 to 30 million would be needed to cover admissions costs for 15,000 people, but pointed out that "15,000 is a ceiling. Actual needs will be based on many variables."

Moore listed a number of actions that are being taken to come up with the needed funding, including the reduction of services provided to refugees in transit in Western Europe, the reduction of reception and placement grants, and cutbacks in the overseas language and orientation programs. Additional money will come from unused admissions numbers in the current regional ceilings, as well as from the Emergency Refugee and Migration Assistance fund and, possibly, "unspent funds in other Department accounts," said Moore.

To accommodate the new arrivals without new funding this year, ORR may be forced to further reduce the federal reimbursement period for cash and medical assistance from 24 months to 20 months, according to government sources. Observers worry that the combination of larger refugee numbers and smaller budgets will create a community backlash against new arrivals and the refugee program as a whole.

"The media is going to be full of the angriest and most vocal refugees protesting the lack of services," said Bacon. "It will be particularly sad because it is all so unnecessary. ORR has one of the most successful stories to tell for 1987. Direct administrative costs went down, case management costs increased slightly, but welfare rates went down, despite the fact that we consistently have served a larger number of refugees than what we were funded for. Now they are making deep budget cuts, and they don't really know what they are eliminating."

Recent Developments

REVISED ASYLUM REGULATIONS WOULD CREATE CORPS OF ASYLUM ADJUDICATORS WITHIN INS

The Immigration and Naturalization Service (INS) has proposed a revised version of its regulations governing asylum adjudication in the United States.

The new regulations, published in the April 6 Federal Register, would create a corps of specially trained asylum officers who would be responsible for conducting initial nonadversarial interviews with asylum seekers. Those denied asylum by the asylum officers would be permitted to reopen their asylum applications with immigration judges in deportation or exclusion proceedings.

An earlier proposal that would have vested INS asylum officers with exclusive jurisdiction over asylum cases, and reduced the role of immigration judges in the asylum process to that of rubber stamps, was withdrawn following a storm of protest (see Refugee Reports, Vol. VIII, Nos. 9 and 11). Critics had maintained that because asylum officers would be part of the INS, which is charged with immigration enforcement, they would have an inherent bias towards enforcement priorities. Critics had also charged that conducting nonadversarial hearings with no meaningful system of appeal violated asylum seekers' due process rights.

Asylum Officers Essentially Would Replace Function of District Directors in Adjudicating Asylum Claims The revised regulations are a less radical departure from current asylum determination practices than the regulations that the INS had proposed in August. Under the present system, aliens may apply to INS district directors for asylum or apply for asylum before immigration judges in the context of deportation or exclusion hearings, often following the denial of their claims by district directors. The newly created asylum officers would replace district directors in this function, according to the revised regulations. The role of immigration judges would be unchanged from current practice.

By transferring this function away from INS district directors to a specially trained corps of asylum adjudicators, the INS is hoping to achieve a higher degree of uniformity than under the current system. Decisions by asylum officers will be subject to review by higher officials in the INS central office and by the Office of the Deputy Attorney General.

"This is a good first step in rationalizing the asylum adjudication procedure and toward parceling functions outside the INS," said Arthur Helton, director of the political asylum project of the Lawyers Committee for Human Rights, and one of the leading critics of the asylum regulations proposed in August. Helton spoke favorably about the restoration of the role of immigration judges together with the new training of asylum officers.

Helton also said that the revised regulations were an advance over the August proposals because they no longer give preference to Department of State advisory opinions in asylum adjudications and limit the scope of those opinions. Critics of U.S. asylum practices have charged that State

Department advisory opinions have tended to introduce political and foreign policy considerations into the adjudication process. The revised regulations state that asylum officers may rely on information provided by the Department of State, the Justice Department, "or other credible sources, such as international organizations, private voluntary agencies, or academic institutions."

Deborah Anker, who teaches immigration and asylum law at Harvard Law School, and who is co-chair of the refugee and asylum committee of the American Immigration Lawyers Association (AILA), which also played a leading role in opposition to the regulations proposed last August, credited the revised regulations for retaining immigration judges and due process hearings on asylum claims. She also expressed satisfaction that the revised regulations dropped the earlier listing of adverse factors that could form the basis of discretionary denials of asylum, such as the alien's immigration status and manner of entry into the country.

"The Outpouring of Concern Was Heard"

Aside from what leading critics saw as substantive improvements in the regulations, they also expressed appreciation of the dialogue that developed with the INS.

Anker said that many of the changes can be traced to specific concerns raised by AILA and others. "The outpouring of concern was heard," she said. "That is a positive development for the regulatory process."

Asylum Applicants Do Not Need to Establish They are Singled Out Individually for Persecution

The revised regulations reflect the more liberal standard of "a well-founded fear of persecution" to establish eligibility for asylum, as called for by the Supreme Court in the INS v. Cardoza-Fonseca decision (see Vol. VIII, No. 3 and story on page 11 of this issue).

The earlier proposal in August had recognized that those fleeing persecution often have difficulty in corroborating their claims, and allowed asylum applicants to show that persons in their position, as opposed to themselves individually, could be subject to persecution.

The INS district director in Bangkok objected to this formulation, saying that not requiring applicants to provide evidence that they would be singled out for persecution "could lead to the assumption that mere group membership alone--however nominal--would be sufficient to establish refugee status."

The revised regulations maintain the earlier language that asylum officers and immigration judges "shall not require the applicant to provide evidence that he would be singled out individually for persecution," but respond to the Bangkok district director's objection by requiring that the applicant must establish 1) that there is a pattern of persecution of groups of persons similarly situated and 2) that his own inclusion and identification with that group is such that his fear of persecution is reasonable.

This formulation marks a clear departure in U.S. government policy in determining refugee status. By contrast, then Assistant Secretary of State for Human Rights Elliot Abrams wrote in the March 15, 1985 Wall Street Journal that an asylum applicant "must show that he as an individual [his emphasis] has a 'well-founded fear of persecution'.... This means that the applicant must demonstrate that he or she would more likely than not be singled out for persecution."

Certain Issues Remain Controversial

Critics continue to note a number of objections to the revised regulations. For example, the regulations permit immigration judges to deny full evidentiary hearings when the asylum applicant is subject to one of the mandatory grounds of denial--such as having been involved in the persecution of others; having been convicted of a "particularly serious crime"; having been "firmly resettled" in a third country; or being "a danger to the security of the United States" (and, in the case of withholding of deportation, if there are reasons to believe the applicant committed a serious nonpolitical crime outside the United States).

What this means is that if an asylum seeker was convicted of a burglary, for example, the immigration judge could limit his asylum and deportation hearing to a determination of whether his crime constituted a mandatory ground for denial of asylum, without taking into consideration the grounds for his fear of persecution if returned to his home country.

"The seriousness of the crime needs to be balanced against the seriousness of the persecution the person could face if turned back," said Anker. She said this is the major issue of concern to AILA in the revised regulations, but that she was "hopeful" it could be changed during the comment period if enough people express concern about it. "The INS response to the August proposed regulations reflected the breadth and volume of response to them," she said.

"As the regulations presently stand," she said, "a person who committed one crime in the distant past, with mitigating circumstances, rehabilitation, close ties to the United States, could still be denied asylum and a hearing on the persecution claim despite a serious threat of persecution if returned." She said that this could have a particularly serious effect on many Mariel Cubans seeking asylum.

Anker also cautioned that the inclusion of "firm resettlement" in a third country as a mandatory ground for denial of asylum was problematic because the phrase is "subject to many different interpretations" and that there is "some danger that discretionary grounds for denial, such as immigration status and manner of entry, could creep into the 'firm resettlement' rubric and become the subject of mandatory denials."

While concurring that the denial of full evidentiary hearings was "a serious legal issue," Helton raised another objection based less on legal requirements, than on one aspect where the regulations are not generous enough in giving asylum seekers the benefit of the doubt beyond the legal minimum. Helton maintained that the regulations' treatment of motions to reopen asylum hearings are overly restrictive. Following the recent Supreme Court decision in INS v. Abudu (see Refugee Reports, Vol. IX, No. 3), the regulations require applicants in motions to reopen to "reasonably explain the failure to request asylum prior to the completion of the exclusion or deportation proceeding."

Helton said, "Just because the Supreme Court allows the authorities to be ungenerous doesn't mean they should be."

Written comments on the proposed regulations must be submitted in duplicate before May 6. They should be addressed to the Director, Policy Directives and Instructions, Immigration and Naturalization Service, 425 Eye St., NW, Rm. 2011, Washington, DC 20536.

AGENCIES, GOVERNMENTS GEARING UP FOR AFGHAN REFUGEE REPATRIATION

With the April 14 signing of the Geneva accords calling for the withdrawal of Soviet troops from Afghanistan, a new urgency is being felt by Western governments, as well as international and nongovernmental agencies, about what potentially could be the most massive repatriation of a refugee group in modern times. The Soviet troops are to begin leaving as early as May 15, with half of the 115,000 troops scheduled to withdraw within the first three months, and a complete withdrawal within nine months. The speed with which the accords were signed, as well as the fast-paced plan for the Soviet exit, has caught the international community somewhat off balance in terms of its planning for repatriation of the refugees.

There are presently an estimated 3.54 million Afghan refugees in Pakistan, 2.2 million in Iran, and an additional 2 million internally displaced persons within Afghanistan, according to the 1987 World Refugee Survey.

On March 31, private voluntary agency personnel discussed preparations for the repatriation effort with State Department Deputy Assistant Secretary for International Refugee Assistance Kenneth Bleakley, at the offices of the American Council for Voluntary International Action (InterAction).

The situation in Afghanistan was described as very fluid, and the picture of Afghanistan's future as murky. Visitors to Pakistan have the general impression that the refugees very much want to return home. The major impediment to their return is the presence of Soviet troops and general levels of violence in the country. Their ability to survive, although of major concern to the international community, seems to be of less concern to the refugees themselves. The Afghans were characterized as a "remarkably resilient" people, but many of the areas to which the refugees would return were described as devastated, and unable to support the food needs of returnees.

Bleakley observed, "There is an inexor-

IRC clinic brings medical care to Afghan women in Oblan, Kahat Dist./NWFP
photo credit: Louis Dupree

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able arithmetic at work. Death will occur if there are inadequate resources for survival."

Estimates for the repatriation run into the hundreds of millions of dollars. If only 3 million refugees received repatriation assistance, including 6 months of basic food rations, the cost could well be in excess of a half-billion dollars.

Congressional Resolution To Be Introduced Rep. John Edward Porter (R-Ill.) is expected to introduce a resolution on April 19 urging the UNHCR to develop immediate plans for the repatriation of Afghan refugees and calling on the U.S. State and Treasury Departments to urge multilateral development banks and international organizations to which they relate to contribute $300 million over the next five years for Afghan relief and reconstruction. The resolution is also expected to urge member nations of the NATO and the European Community to contribute $100 million; OPEC nations, including Saudi Arabia, to contribute $200 million; and Japan, Korea, Taiwan, China, and the ASEAN nations to contribute $100 million. The resolution is also expected to call upon the President to request $250 million from Congress in the event that all military assistance is terminated from both the Soviet Union and the United States.

Senate Staff Take First-Hand Look Several members of the Senate refugee subcommittee staff recently returned from Pakistan, where they had a first-hand look at the developing situation.

"My overwhelming impression is that the repatriation will be neither immediate nor sudden," said Michael Myers, subcommittee counsel. "The refugees are eyeing the situation carefully and will not return until the Soviets are out and there is some semblance of order in the country."

Myers said that the refugees know the conditions in their home areas in great detail and would be "very rational" about how and when they would return. He said that most would not return at least until the spring planting season in 1989.

Myers also gave an estimate of repatriation costs ranging from a low of $35 per capita to a high of $200.

Repatriation Costs To Be High Given the

millions of refugees involved, the costs are sure to be high in any event. One U.S. Agency for International Development (AID) official told Refugee Reports, "This goes beyond anything AID has ever dealt with. It goes beyond the U.S. government. This needs to be led by the United Nations."

Bleakley outlined great stringencies on the current refugee program budget at the InterAction meeting, noting that there is a firm cap on the overall federal budget. However, preliminary soundings with other members of the international donor community have been encouraging.

Robert DeVecchi, executive director of the International Rescue Committee, told Refugee Reports that since the State Department says there is no money available for admitting 15,000 additional refugees this year, "I don't know whether the same restrictions apply for assistance for Afghan repatriation from existing appropriated funds."

DeVecchi said that the actual prospect of a Soviet withdrawal has taken the international community by surprise and has caught people off guard. He said, however, that it would be inconceivable to him that the United States would not "support the rebirth of Afghanistan in as free a mode as possible." He said that the bipartisan U.S. foreign policy goal all along has been the withdrawal of Soviet troops. "Having supplied millions of dollars to the refugees and freedom fighters all these years, it would be incomprehensible to abandon them now when they are on the brink of return to their country."

The International Rescue Committee is in the process of forming a select citizens' commission to act as "a galvanizing lightning rod" on the Afghan repatriation issue, a catalyst for a concerted international response, according to DeVecchi.

Peter Rees, field director in Peshawar of Afghan Aid, a British-based charity, told the Daily Telegraph and the Times of London on March 26 that it would take nine months just to prepare a coordinated strategy among private voluntary agencies and the major international donors. Rees said that the aid community could cope with, at most, 20 percent of the refugee population returning the first year.

If by late August Soviet troops have withdrawn from the areas that the refugees fled, large numbers could leave Pakistan before a planned, phased repatriation program could be established.

"If more than 20 percent of the refugees go back in the first six months, there will be serious problems," Rees said. "If 70 to 80 percent go back, Afghanistan will simply not be able to feed them."

Providing food, transport, seed, draught animals, temporary shelters, and cash would present major problems, according to Anders Fenga, field representative in Peshawar of a Swedish group providing cross-border humanitarian aid. "Even if aid gets to Kabul, the countryside won't be able to suck it up," he told the Daily Telegraph. Fenga said that rural, mountainous areas are inaccessible by road.

"I don't think anybody realizes how badly damaged Afghanistan is," said Rees. He said that wheat production is 30 percent lower than pre-war yields, and that "it will take seven or eight years to get the livestock up to pre-war levels."

When and How Will Refugees Return? Planning for the repatriation is complicated because no one knows when or how the refugees will return. "The refugees came to Pakistan when they decided it was the right thing to do," said an AID source, "and they will return when they think it is the right time."

Journalists have already noted some evidence of spontaneous return to areas outside Afghan government control. (The Afghan government also claims that 120,000 refugees have returned to areas of its control--a claim that is strongly discounted by the U.S. and Pakistani governments and by the Afghan resistance.)

Experts disagree about whether husbands and fathers will go home first to scout the area, plant crops, and rebuild before calling for their families to return, or whether families will return as a unit.

One school of thought holds that the Afghan family as a whole functions as a single economic unit and the culture frowns upon breaking up families. Others say that the model of the Jihad--Holy War--waged by the Mujahideen provides a model and precedent for the breadwinners to go home first and prepare the way for their families. "The Jihad could be a marvelous force if turned toward development," commented one

"Death will occur if there are inadequate resources for survival." photo credit: Minneapolis Star and Tribune

expert.

The IRC is preparing for either contingency, DeVecchi said. He said, "We are planning to continue our present services for refugees in Pakistan and to assist groups making the decision to go back."

The role of private voluntary agencies in the next several months will be critical, according to Bleakley. "There is real urgency now to make sure the refugees are well-nourished before they return, to get innoculations, sanitation, and maternal care in place before they return."

COURT SAYS PAY MORE THAN LIP SERVICE TO SALVADORAN'S "WELL-FOUNDED FEAR"

In a continuing effort to grapple with last year's Supreme Court decision in the case of INS v. Cardoza-Fonseca, the U.S. Court of Appeals for the Ninth Circuit has ruled that immigration judges and the Board of Immigration Appeals (BIA) must do more than pay "lip service" to the Supreme Court decision.

In Cardoza-Fonseca, the Supreme Court distinguished between the more difficult standard for withholding deportation--a "clear probability" of persecution--versus the standard for granting asylum--a "well-founded fear" (see Refugee Reports, Vol. VIII, No. 3).

The case that raised the ire of the ninth circuit concerned Manuel Arteaga, a Salvadoran claiming asylum on the basis of his fear that a group of his former friends who were now guerrillas had tried to persuade him to join them. After he told them that he would remain neutral in the conflict, he testified that they told him, "Even if you don't come, we'll get you." Fearing that threat, he left for the United States.

An immigration judge denied asylum and withholding of deportation saying that the guerrillas "did not take him into custody." The BIA affirmed the immigration judge's decision.

The ninth circuit ruled that, in effect, the BIA was still failing to distinguish between the more generous standard for asylum and the tougher standard for withholding of deportation. The court returned the case to the BIA and told it to apply the more generous standard to Arteaga's asylum claim.

The ninth circuit noted that the BIA had alluded to the Cardoza-Fonseca's well-founded fear standard in affirming the immigration judge's denial of Arteaga's asylum claim. However, the court said, "Notwithwithstanding its lip service to Cardoza-Fonseca, the BIA decision here fails to make explicit that the more generous standard was applied to this asylum claim." The court said that the BIA merely inserted "boilerplate language" as so many "magic words" without actually applying the legal standard meant by those words.

The court held that Arteaga's resistance to joining the guerrillas voluntarily meant that "the guerrillas would have had to kidnap him to get him into their ranks. Such a deprivation of liberty on account of political opinion would amount to persecution." Applying the Cardoza-Fonseca standard, the court went on to say, "A specific verbal threat by the guerrillas directed at an individual whose identity and residence are known to the guerrillas is sufficient to create a well-founded fear."

Update

° On April 12, Sens. Rudy Boschwitz (R-Minn.) and Mark O. Hatfield (R-Ore.), along with 22 other senators, sent a letter to Secretary of State George Shultz expressing "deep concerns that first asylum for Indochinese refugees will disappear unless the U.S. takes priority diplomatic and program steps now to shore up the situation." The letter stated that Thailand was continuing pushbacks of Vietnamese boat refugees, and that first asylum for lowland and highland Lao "is also being generally denied."

Many of the boats being pushed off from Thailand's southern coastline are arriving in Malaysia--contributing to a March arrival figure of over 1,000, according to the UN High Commissioner for Refugees (UNHCR). "We are concerned that a denial of asylum could occur any day" in Malaysia, the letter said.

The senators asked Shultz for a report on Indochinese refugee admissions in FY 88 "along with recommendations on how to overcome any shortfalls." Current projections indicate that about 27,000 Indochinese will be admitted from first asylum countries, out of an FY 88 ceiling of 29,500, according to government sources. With a refugee ceiling of 8,500 for the Orderly Departure Program from Vietnam, just over 7,000 are likely to enter in FY 88.

"In light of the precarious asylum situation in Thailand and throughout the region," the letter stated, "the existence of unused numbers would contradict Congressional intent and your clearly announced commitment made at last summer's ASEAN [Association of Southeast Asian Nations] gathering."

° The Office of Refugee Resettlement (ORR) has given a small grant to the Lutheran Immigration and Refugee Service (LIRS) to coordinate two meetings and issue a report on effective program strategies for the resettlement of Amerasians and their accompanying family members. The Amerasian Homecoming Act, enacted in December, is expected to trigger admissions of up to 12,000 Amerasians and 18,000 family members from Vietnam in the next two years.

"We hope this project will help to promote community planning and coordination of services," said Marta Brendan, LIRS project coordinator. "Amerasian children tend to have low self-esteem and the resettlement experience seems to be particularly difficult for them, since it reawakens a sense of loss and inadequacy," Brendan told *Refugee Reports*. "It is so important that communities give them and their families assertive attention on arrival."

The first meeting in mid-March was attended by representatives from ORR, the Department of State, private voluntary agencies and their local affiliates, refugee state coordinators, the Vietnam Veterans of America, the Indochina Resource Action Center, and Vietnamese community organizations. A second meeting will be held in mid-April.

° U.S. Border Patrol apprehensions of undocumented aliens on the southern border rose to 109,585 in February, a 17 percent increase over February 1987. January 1988 apprehensions also increased by about 3 percent over 1987, but were substantially below 1986, Alan C. Nelson, commissioner of the Immigration and Naturalization Service (INS) announced on March 18.

On March 23, he testified before a House appropriations subcommittee that the INS intended to add 1,000 Border Patrol agents by the end of 1988, for a total of 4,000 (as opposed to 2,900 in 1986). In 1987, the Border Patrol apprehended 1,158,030 undocumented aliens, a 31.6 percent decrease from the 1,692,544 apprehended in 1986.

The FY 89 budget request for the INS includes an increase of $9.2 million for detention and deportation. Nelson told the subcommittee that the additional funds will be needed to staff new facilities in Los Angeles and Oakdale, Louisiana set up to detain criminal aliens awaiting deportation, according to the March 28 *Interpreter Releases*.

° Polish, Afghan, Ugandan, and Ethiopian nationals who have been protected by extended voluntary departure (EVD)--a temporary reprieve from deportation granted by the Attorney General--will be able to adjust their status to that of temporary resident aliens, if they have been present in the United States since July 21, 1984, according to new regulations published in the March 21 Federal Register. The adjustment process for them will be comparable to the procedure used for other aliens legalizing their status under the Immigration Reform and Control Act of 1986.

° On April 12, the House Judiciary Immigration Subcommittee unanimously reported two bills to the full committee. The first, HR 2922, would provide a mechanism for determining a temporary safe haven status for nationals of countries experiencing civil strife or natural disasters (see Refugee Reports, Vol. VIII, No. 11).

The second bill, HR 1119, would amend the Immigration and Nationality Act (INA) with respect to the grounds for exclusion and deportation. The bill's sponsor, Rep. Barney Frank (D-Mass.), said that HR 1119 showed that "it is possible to accommodate political diversity without endangering us." He said that of the 33 grounds for exclusion in the 1952 INA, the areas of controversy have been limited to three or four points, including whether to exclude aliens whose entry could cause adverse foreign policy consequences or aliens subversive to the national security. Several members of the subcommittee, while voting out the bill, indicated that they reserved the right to introduce amendments when it comes before the full Judiciary Committee.

° On April 6, The Ethiopian government ordered all foreign relief workers to leave the provinces of Tigray and Eritrea. The International Committee of the Red Cross (ICRC), Catholic Relief Services, and others were told to "hand over" their famine relief operations and equipment to the Ethiopian government's own agency or to local relief agencies, according to the Washington Post. The announcement came abruptly and without warning, according to the Post.

The ICRC issued a statement on April 7 saying that it was convinced that "there is now an even greater need to continue and even increase the protection and assistance activities" because of the intensified fighting in these regions. The ICRC said that it had "a humanitarian responsibility for the fate of some five million people living in these areas."

Knowledgeable sources indicated that the expulsions could herald not only a major offensive in the region by the Ethiopian Army, but also severe food shortages. Both could result in massive refugee movements from Tigray and Eritrea into the Sudan or into the cities.

° Some 45,000 recent Sudanese refugee arrivals in Ethiopia's southwest are experiencing severe malnutrition, according to sources in Addis Ababa. The refugees, mostly young boys fleeing civil war in Sudan, have experienced intense trauma before and during their escape, and now are without adequate food and medical attention in newly established refugee camps in Ethiopia.

One official described the situation in the Fugnido camp as the worst situation he had seen in more than 37 years with the UN. Since its creation in November, Fugnido has quickly grown to hold between 25,000 and 30,000 refugees, more than half of whom are under the age of 15. An international delegation to the camp reported that its residents "compared poorly with pictures of Nazi concentration camp victims and were as bad or worse as anything seen in Ethiopia during the 1984-86 famine."

On April 12, the U.S. Committee for Refugees wrote to the UN High Commissioner for Refugees and U.S. Secretary of State saying that these conditions exist "despite what appear to be sufficient in-country resources."

The Washington Post reported on April 15 that the Ethiopian Red Cross could be overburdened in caring for these refugees "because of the government's recent decision to evict all foreign relief workers from war-torn Eritrea and Tigray provinces, where an estimated 2 million people are at risk of starvation.

° All Tamil refugees in the Indian state of Tamil Nadu are to be sent back to Sri Lanka within the next six months, according to the director of refugee rehabilitation in Tamil Nadu. The official, Mr. Palanichamay, held a news conference on April 3 in which he announced that 3,000 refugees would be removed from refugee camps and sent back to Sri Lanka on April 9. Tilak Chadrasekara, senior assistant secretary for the Ministry of Rehabilitation, told Lanka

Puwath, an English-language Colombo paper, that 20,526 Sri Lankan refugees have already been returned since the signing of the July 29, 1987 Indo-Sri Lanka agreement (see Refugee Reports, Vol. VIII, No. 8). He added that 500 refugees from the Jaffna sector would be returned on April 5.

Palanichamay said that both the 3,000 to be repatriated on April 9, and all those sent back so far, came from the Mannar district of Sri Lanka. He added that the government is also arranging to send back refugees who came from Sri Lanka's war-torn Jaffna province. He said that the Indian peacekeeping force would take care of them upon their return to Sri Lanka. He also said that UNHCR had contributed money for their rehabilitation. After the refugees living in Indian refugee camps have been returned, he said, the 10,500 refugees living outside camps would be repatriated. He said that the state government had informed the Indian federal government that refugees from the Sri Lankan towns of Colombo, Kandy, and Navaroli said they were afraid to return to their homes.

- Soviet Jewish emigration rose to 944 in March, nearly reaching the highest monthly total ever, the Intergovernmental Committee for Migration (ICM) reported.

On April 12, 35 Jews seeking permission to emigrate were arrested after a demonstration in Moscow, according to press reports.

ICM reported 1,053 Soviet Armenian arrivals in Rome on March 7 (compared to 2,933 for all of 1987).

Projects and Programs

"COMMUNICATING SURVIVAL" VIDEOTAPES AVAILABLE

In Arlington, Virginia, where one out of seven residents does not speak English as a native language, a local nonprofit group has produced a series of videotapes teaching limited-English-speaking immigrants and refugees about vital public services.

The series, "Communicating Survival," was produced by Arlington Community Television (ACT), with funds raised from regional foundations, corporations, and local government. The project has received positive national attention, and, as a result, ACT has produced six of the programs in a generic version that can be used anywhere in the country.

"Social service providers have had a very difficult time responding to the survival-level needs of newcomers," ACT executive director Steve Israelsky said in explaining why ACT began the project. "They need to inform people who are often illiterate in their own language, as well as in English. Obviously, printed materials are inadequate. And even bilingual caseworkers could only reach so many people. What was needed was an unwritten means of informing large numbers, in their own language, about services basic to their everyday life and survival."

Each of the programs in the series is about 15-minutes long, and focuses on a single topic. Emergency: Call 911, the award-winning pilot program of the series, teaches the use of the 911 emergency system. Help Wanted teaches how to locate, apply, and interview for prospective jobs. Personal Checking teaches that a bank account is a safe and convenient way to pay bills and handle money. The Supermarket walks the viewer through a modern supermarket, explaining such things as packaging, expiration dates, and express lines. Obtaining Health Care teaches that medical care is available for all who need it, using maternity care and immunization as practical examples. The New Immigration Law explains in common terms the basic issues surrounding the immigration reform act. It encourages the viewer to obtain legal assistance and offers suggestions as to how it may be obtained.

"As ACT is a cable television production and programming facility, naturally we air each program in each language repeatedly," Israelsky explained. "Likewise, we are making the videotapes available to other cablecast facilities throughout the country. We expect, however, that their most effective use will come from school systems, local governments, libraries, social service providers, extension services, and adult education programs who use the videotapes for direct screenings, as has been done here in Arlington."

The series was developed in cooperation with the Arlington Red Cross, the Arlington County School system's English for Speakers of Other Languages program, many Arlington refugee and immigrant service providers, and a community advisory body. "More than 100 people have guided ACT in the design and script development of this series," said producer/director Jeff Sutton. "We could not have developed it without their help."

All of the videotapes are available in English, Spanish, Vietnamese, Cambodian, Lao, and Farsi, with the exception of The New Immigration Law, which is available only in Spanish. Each of the videotapes is available for purchase in either 3/4 inch or 1/2 inch VHS and Beta formats.

The cost for purchasing up to 6 copies of each tape is $65.00 for each 3/4 inch video, or $40.00 for each 1/2 inch. A 20 percent discount may be taken for orders sent with payment. For larger orders, additional discounts are available. All orders must be accompanied by either a purchase order or a check. Preview tapes are available free for up to 30 days.

To order, or for further information, write to Arlington Community Television, 3401 N. Fairfax Drive, Suite 300, Arlington, VA 22201. (703) 524-2388.

Reader Exchange

STATE COORDINATOR JOB OPEN IN ARIZONA

Arizona has a job opening for the position of State Coordinator of the Refugee Program, heading a staff of 15 people in Phoenix. The beginning date for employment is June, but applications must be postmarked by April 29. For more information contact the Arizona State Personnel Division, 1831 West Jefferson, Phoenix, Arizona 85007, Attention: Frank Liu, (602) 255-5482.

Resources

WORLD REFUGEE SURVEY FOR 1987 PUBLISHED

The number of refugees worldwide has grown to 13.3 million, according to the World Refugee Survey: 1987 in Review, recently published by the U.S. Committee for Refugees.

The largest single new flow of refugees during the year was of 350,000 Mozambican refugees fleeing into Malawi. The count of Mozambicans in Swaziland, Zimbabwe, and Tanzania also increased by 55,000, 88,000, and 66,000 respectively over USCR's 1986 figures. USCR estimates a total of 917,000 Mozambican refugees in the region, and an additional 2 million internally displaced. "Hidden among these stark statisticss are deep personal tragedies," wrote Tom Brennan. "Increasingly, refugees have required treatment for malnutrition and shock, and many have been emotionally incapacitated by their experiences."

Sen. Edward M. Kennedy (D-Mass.), chairman of the Senate Subcommittee on Immigration and Refugee Affairs, examined refugee movement throughout southern Africa in a lead essay in the Survey.

After describing how innocent rural Mozambicans have been subject to "some of the most brutal and dehumanizing treatment known to man," Kennedy said, "the traumatization of hundreds of thousands of innocent peasants and the depopulation of broad areas of productive land...require[s that]...these refugees deserve a secure sanctuary, free from the fear of being forced back into the violence and brutality that they risked their lives to escape."

Kennedy observed, however, that many are being denied this basic protection. He specifically cited an electrified fence built by South Africa "to insulate itself from the very catastrophe it has so deliberately fostered."

Other major essays by authorities in the field include articles on children in exile, Afghan refugees in Pakistan, and asylum policies in the United States and Western Europe.

The World Refugee Survey includes individual "country reports" on 65 nations that host refugee populations. Regular features of the Survey also include statistics on worldwide refugee populations, a directory of organizations, a bibliography, and USCR Director Roger P. Winter's "Year in Review".

The World Refugee Survey is sent to all Refugee Reports subscribers. Additional copies are available for $8 each; $6 for 10 or more copies. To order, write to the U.S. Committee for Refugees, 815 15th St., NW, Suite 610, Washington, DC 20005.

ORR REFUGEE AND ENTRANT ASSISTANCE BUDGETS, 1987 to 1989

	1987 Enacted	1988 Estimated	1989 Request	Increase or Decrease 1988 to 1989
Cash and medical assistance (CMA)	225,316,000	207,043,000	182,304,000	-24,739,000
State administration of CMA	33,797,000	26,231,000	21,569,000	- 4,662,000
Social Services	68,617,000	65,694,000	-0-	-65,694,000
Employment services	Not Applicable	N/A	30,000,000	+30,000,000
Voluntary agency matching grant program	3,828,000	7,659,000	7,659,000	Same
Preventive health	8,039,000	5,840,000	3,000,000	- 2,840,000
Targeted assistance	-0-	34,466,000	34,466,000	Same
TOTAL	339,597,000	346,933,000	278,998,000	-67,935,000

Source: Office of Refugee Resettlement, Family Support Administration, Department of Health and Human Services.

REFUGEE REPORTS is published monthly for $28.00 per year for one subscription, $20.00 each for two or more subscriptions to the same addressee, or $20.00 each for ten or more subscriptions requested at the same time, mailed to separate addresses; overseas postage, $24.00 additional; by ACNS, 95 Madison Avenue, Third Floor, New York, NY 10016. Second Class Postage paid at New York and additional mailing offices. POSTMASTER: send address changes to *Refugee Reports*, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204.

Editorial comments and inquiries should be sent to: *Refugee Reports*, 815 Fifteenth Street NW, Suite 610, Washington, DC 20005. All communications regarding subscriptions should be sent to: Refugee Reports Subscriptions, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204. (615) 377-3322.

Basic subscription rate for 12 issues per year: $28.00; Multiple-copy rate: $20.00; Single copies of back issues: $2.50
Editor: Virginia Hamilton; Staff Writers: Bill Frelick, Court Robinson
Distribution Manager: Carolyn Moore; Production Coordinator: Koula Papanicolas
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Refugee Reports
A Project of the American Council
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Refugee Reports

A News Service of the U.S. Committee for Refugees
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Volume IX, Number 5 May 20, 1988

SALVADORANS AND GUATEMALANS AFTER AMNESTY: SQUEEZED OUT OF JOBS, AFRAID TO GO HOME

*Maria, a Salvadoran, came to the legal clinic with her husband and their four small daughters. Before leaving El Salvador she was beaten, stabbed, and left for dead by a death squad. Her father and two of her husband's brothers were killed by government troops. She asked if the new law could help her and her family. The answer was no: they arrived in April of 1982, four months after the legalization cutoff date. Not only did she not qualify for legalization, but she could anticipate problems maintaining employment. After hearing of her limited options, including political asylum, she smiled weakly and said, "We worry about having to go back to El Salvador....The girls like it here."**

Although the Immigration and Naturalization Service (INS) received more than 1.5 million legalization applications prior to the end of the general amnesty registration program on May 4 (and an additional 514,187 special agricultural worker applications), only 8 percent of the applicants were Salvadoran, and less than 3 percent were Guatemalan (71.2 percent were Mexican; 1 percent were Nicaraguan). Voluntary agency personnel who work closely with Salvadorans in the United States estimate that more than 80 percent were not eligible for legalization, most having arrived in the United States after the January 1, 1982 eligibility cutoff date.

These Salvadorans and Guatemalans join a new underclass of residual undocumented aliens who could not or would not come forward to legalize their status under the Immigration Reform and Control Act (IRCA). The number of undocumented aliens who entered the United States between 1982 and 1986 is estimated by some Census Bureau experts as up to one million persons, according to The IRCA Clearinghouse Advisor. Other estimates of the residual population of undocumented

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* from "Living with the Law: The Effect of the Immigration Reform and Control Act of 1986 on Chelsea, Massachusetts," by Jennifer L. Gordon, Centro Presente

aliens range as high as 7 million. These include many who might have been present in the United States before 1982, but who continued to fear that coming forward would result in deportation or separation from ineligible family members, or those who could not document their presence, or not afford the fees for registration, medical exams, fingerprinting, photos, agencies or lawyers.

For many Central American members of this residual undocumented population, IRCA represents less a hope than a threat. It means the loss of a job, no income, and being pushed further into the margins of American society.

It is often difficult to determine what is happening in that shadowy underground for those without legal immigration status and with little recourse for lawful employment. But social agencies serving immigrants and refugees are beginning to see greater desperation among undocumented persons and more basic survival issues coming to the fore.

"This is not just rhetoric--people are really scared," said Frank Sharry, executive director of Centro Presente in Boston. "There is a high level of hysteria, rumors, misinformation."

Centro Presente has recently published its own report on the impact of IRCA on undocumented Central Americans in Massachusetts. "Beginning in November of 1987," the report's author Jennifer Gordon writes, "jobs have become harder and harder to find, even for someone carrying the requisite documents. Employers (breaking the law in their attempts to comply completely) have begun to require a green card or a work permit in addition to the basic 'identity and work authorization' documents. As one Guatemalan woman well aware of her rights explained to me, 'you can tell the boss until you're blue in the face that he's not supposed to ask for a green card, but he just won't call you back the next day.'"

Social service agency personnel throughout the country make similar observations. "Basically, we have been seeing people lose their jobs," said Kathy Doan of the Central American Refugee Center (CARECEN) in Washington, D.C. "The firing started right after the bill was passed."

Unemployment, or underemployment with the constant fear of being fired, is on the increase. "Men and women who before worked two or even three jobs (part-time cleaning job, full-time factory night shift, weekend janitor) are now trying to support themselves and their children on the cleaning job alone," writes Gordon. "And while there are employers willing to give jobs to someone without papers, they often run the least reputable factories and are swamped with applications when the word gets around about their hiring practices."

The squeeze on jobs gives rise to a host of related social problems. Without a decent job and no government safety net, rent and food money are hard to come by. "Housing is definitely a problem," said Lauren McMahon, executive director of El Rescate in Los Angeles. "There are many people per unit." She said that housing is a problem regardless of immigration status, which makes the situation all the more tight for undocumented people.

"We are seeing more and more homeless undocumented--mostly Salvadoran--in our shelter," continued McMahon. "These are not just new arrivals, but newly homeless people who have been here for some time."

Sid Mohn, executive director of Travelers and Immigrants Aid of Chicago, observed, "We have seen an increased reluctance to access health care, pregnant women having home deliveries without medical support, more incidents of Central American homelessness, and Central American women showing up in shelters for battered women."

A number of voluntary agencies are attempting to avert the worst effects already starting to hit a population that is both unemployed and undocumented. Church World Service (CWS), for example, has moved $150,000 from its hunger funds to meet the survival needs of undocumented aliens.

Pat Taran, coordinator of CWS's Immigrant Services Project, noted, "Before this law, local projects that we fund reported dealing with legal, social, and psychological problems. Now they are asking for help to meet basic survival--food and shelter."

"My personal sense," he said, "is that predictions of a crisis for a further marginalized group within our population are being confirmed."

While the survival needs may be the most visible, the new law appears to be taking a psychological toll as well. Dr. Ricardo Galbis, medical director of Andromeda, an

Hispanic mental health clinic in Washington, D.C. which serves a largely undocumented, Salvadoran clientele, noted "a heightening of anxiety, alcohol abuse, depression, and fear." He said that young, single men are the most demoralized with the least hope. He added, "We see abnormal worry and grief. These people don't come in here seeking help unless they are having a real crisis."

One of the concerns mentioned by several agency personnel, albeit with reluctance and "off the record," was the worry that this combination of factors might soon result in increased criminal behavior among people who heretofore have been largely law-abiding despite their illegal status.

A related fear is that those who could be most preyed upon by undocumented criminals would be other undocumented people living in the same neighborhoods--the least likely people to report crimes committed against them, making them all the more vulnerable.

Are They Going Home? The objective of the employer sanctions portion of IRCA is to force undocumented aliens to return to their home countries. As with many other aspects of their condition, it is difficult to establish with any degree of certainty the actual extent to which Central Americans may quietly slip back home. For every observer such as Galbis, who finds "many persons are leaving, going back to El Salvador and Guatemala," there is an emphatic voice, such as Fran Tobin, staff attorney of CARECEN in Houston, Texas, who says, "None have returned. Salvadorans and Guatemalans are not going back."

Thus far, most voluntary agency personnel working with Central Americans report that the numbers of those returning are not significant.

Lutheran Refugee and Immigrant Services (LIRS) recently conducted a survey of 37 local projects assisting Central Americans and discovered, "Despite the expectation that refugees would self-deport in desperation, we have found that most Salvadorans and Guatemalans are staying and are finding work, piece work, or no work. Cutting off the refugees from the means of livelihood as a policy to literally starve people out is not working in their cases. Instead, poverty and its symptoms, such as malnutrition, lack of health, lack of adequate housing, are worsened."

Sharry from Centro Presente said that one group did return to La Union Department of El Salvador recently, but that within four days of their return, all the males who were not able to escape had been forcibly recruited into the army. He said that any numbers who do return are offset by new arrivals. "We are seeing the largest influx in the last three years," Sharry said. "This has nothing to do with IRCA, but with conditions in El Salvador."

In fact, the U.S. embassy in San Salvador reported in December that "illegal immigration to the United States is increasing" and has "risen back to 1984-1986 levels" despite IRCA, according to a classified cable revealed by the New York Times.

INS apprehension statistics, although not available by nationality, give a picture of whether illegal border crossings are on the increase (and whether IRCA is an effective deterrent). Monthly border apprehensions for 1988 have been running 3 to 17 percent higher than for the same months last year (although still considerably lower than the 1986 figures).

Refugee Status Still at Issue Those who work closely with Central Americans insist that most won't go home because the fear of persecution outweighs the hardships of life at the margins of American society.

"I have worked with Vietnamese and Cuban refugees, in resettlement of Africans, Asians, and Europeans," said Sharry. "I find it outrageous that we criminalize work for Central Americans who fled persecution and war. So many we deal with had family members killed. If that doesn't deem them as refugees, I don't know what does."

This assessment of Central American claims for refugee status received a boost recently from a federal judge in California who found that "a substantial number of Salvadorans who flee El Salvador possess a well-founded fear of persecution pursuant to United States asylum laws and the Refugee Act of 1980." (See following story.)

The Asylum Option Many Central American service providers report an increase in the numbers of Central Americans affirmatively applying for political asylum. To apply affirmatively means that the alien presents

"This is not just rhetoric--people are really scared." / Benedict J. Fernandez

himself voluntarily to the INS, and has his application reviewed by the INS district director. Asylum applications are also frequently raised in the course of deportation proceedings before immigration judges, including those applicants who affirmatively applied with an INS district director, but were denied.

"There has been a blossoming on the fringe of 'coyotes', mostly notaries, not attorneys, who advertize themselves as being able to provide work authorization," said Russell Christensen, staff attorney for CARECEN in Washington, D.C. "They fill out a superficial asylum application, which allows them to get a first I-94 for temporary work authorization."

Christensen continued, "The hearing officer sees that it is not a very substantial case, in two-to-three weeks issues an intent to deny, and two weeks later the application is denied and the work authorization is cancelled."

The scam has been repeated elsewhere as well. Mohn of Travelers and Immigrants Aid in Chicago said that the State Attorney's Office in Illinois conducted a vigorous campaign to go after "gauging and defrauding notaries."

Peter Upton, staff attorney for the American Friends Service Committee's Florida Undocumented Workers Program, said the problem is "rampant" in Florida. "There simply aren't enough nonprofit agencies to handle the demand." He said, "Those few who can afford it pay private attorneys exorbitant fees. The rest, the overwhelming majority, go to the notaries."

Upton noted a dramatic increase in affirmative asylum applications among Salvadorans and Guatemalans under pressure from employers for work authorization, who saw the success of Nicaraguan asylum seekers in Florida being given work authorization.

"Thousands of Nicaraguans came forward affirmatively and were granted work authorization en masse following [Attorney General Edwin] Meese's policy announcement in July 1987." [He announced that no Nicaraguan with a well-founded fear of persecution would be deported, and that qualified Nicaraguans would receive work authorization (see Refugee Reports, Vol. VII, No. 8).]

Six months later, the other Central Americans began applying affirmatively for the first time, and they have been receiving work authorization as well, according to Upton.

McMahon of El Rescate also noted a dramatic increase in affirmative asylum in Los Angeles. "This is incredible," she said, "No one ever applied affirmatively before."

Upton and McMahon's observations are borne out by a general overview of INS statistics for affirmative asylum applications from all nationalities. The average number of affirmative asylum applicants per month has been steadily increasing over the past several years, so that at present nearly 4,000 people per month are applying for asylum. The statistics show an 82 percent increase over last year and a 186 percent increase over 1985:

FY 85--1,385 per month
FY 86--1,574 per month
FY 87--2,175 per month
FY 88--3,965 per month (first five months)

When affirmative applications are looked at by nationality, Guatemalans and Salvadorans show some of the most dramatic increases of any nationalities, such that new applications filed this year by Salvadorans now exceed the number filed by Nicaraguans:

	Pending Beginning FY 88	Received First Half FY 88
El Salvador	2,393	10,310
Guatemala	611	1,999
Nicaragua	13,560	9,067

This dramatic shift, evident by the numbers pending at the beginning of the year, shows indeed that significantly larger numbers of Guatemalans and Salvadorans are applying affirmatively, while Nicaraguans, still applying in large numbers, are not doing so at a higher rate than last year.

McMahon said, "Most didn't even know they were applying for asylum. Their employers give them I-589s [asylum applications] to fill out, telling them it is for a work permit."

Rosemary Tripp, project director of the IRCA Clearinghouse of the National Immigration, Refugee, and Citizenship Forum, said, "Once the asylum applicant is denied, he is eminently deportable. He is not protected by the confidentiality provisions [for denied legalization applicants] under IRCA. He comes right to the attention of the INS."

Christensen notes, however, that in the Washington, D.C. area, at least, denied asylum applicants have not been placed in deportation proceedings. "They are just left hanging on the vine."

"We think it is because they can't find work out there," he said. "We believe that the INS thinks that they will return of their own accord once work authorization is revoked."

Christensen said that asylum applicants who are represented by reputable lawyers are treated differently. The attorneys are able to contest the INS examiner's intent to deny and thereby maintain work authorization while the case is pending. "But more go to 'coyotes' than to legitimate attorneys," he said.

Many remain skeptical about the chances for Salvadorans or Guatemalans even with the best legal representation. "Given the age-old story of asylum approval rates, it is with some hesitancy that one can view that as a major alternative," said Mohn. Approval rates for Salvadoran cases filed affirmatively with INS district directors have stood at 2.7 percent for the past four years; the rate for Guatemalans, 1.3 percent for the same time period, among the lowest for all nationalities. By contrast, Nicaraguan approval rates have averaged 21.6 percent during this period (but their approval rate has been less constant--it jumped from 14 percent in 1986 to 84 percent in 1987).

Asylum approval rates for the first six months of FY 88 continue to show a discrepancy between Nicaraguans and other Central American asylum seekers. The approval rates for FY 88 through March 88 are:

	Cases Granted	Cases Denied	Approval Rate
El Salvador	29	865	3.2%
Guatemala	3	105	2.7%
Honduras	2	32	5.8%
Nicaragua	1,172	392	74.9%

Whereas the asylum option is still a matter of great uncertainty for Salvadorans and Guatemalans, it increasingly is the option of first choice for Nicaraguans.

"Nicaraguans did not stop coming as a result of the new law," said Martha Cardenal, President of Hermandad Nicaraguense in Miami. "Most of them go directly and apply for political asylum. Then go to the social security office and get a number so they can look for a job." In speaking of the Nicaraguan community, Cardenal said, "The new law has had no impact on jobs."

Legal Avenues of Relief Are Few Legal options for other undocumented aliens who did not legalize are limited. For some, legalization may still be an option. The application period for special agricultural workers (SAWs) extends until November 30. And Haitian and Cuban entrants have until November 5 to apply for permanent resident status.

A U.S. district court has extended the application period to August 31 for certain other aliens who had been "known to the government" because of violations of nonimmigrant visas prior to January 1, 1982. For example, aliens who worked while holding only student or visitor visas or aliens who failed to file required quarterly or annual alien registration forms prior to January 1, 1982 might still be eligible to legalize.

For most others, however, individual legalization through IRCA is no longer an option, if it ever was. A variety of legislative remedies for various groups of tnese people have been suggested. For Salvadorans and Nicaraguans, most hope is placed in the Moakley/DeConcini bill, which would provide for a temporary suspension of deportation for two years pending a General Accounting Office study of conditions of persons returned to those countries. The bill has passed the House of Representatives and the Senate Judiciary Committee, and is believed to be voted on by the full Senate very soon.

Although the House Judiciary Committee approved a generic safe haven bill on May 3 that would authorize the Attorney General to grant temporary safe haven and work authorization for aliens from countries experiencing ongoing armed conflict or natural disaster, no similar measure has been introduced in the Senate and no floor vote has been scheduled for the House.

Re-Opening of Cutoff Date Being Explored Although it is a long-range approach, some immigrant rights advocates are exploring the idea of reopening the January 1, 1982 cutoff date for legalization.

Cathi Pactaquin of the National Network for Immigrant and Refugee Rights in Oakland, California, said, "More and more undocumented people develop equities every year, so that a progressive legalization program with periodic reopening of cutoff dates could be used."

Rep. Joseph Kennedy II (D-Mass.) has introduced a bill that would considerably expand the legalization program by changing the eligibility cut-off date from January 1, 1982 to March 31, 1988, in effect making legalization an option for all aliens presently here. The bill has been referred to the House Judiciary Committee, and there is no companion bill in the Senate.

A number of critics of IRCA have suggested that if the point of the new law was, in the words of its co-author, Alan Simpson (R-Wyo.), to "remove a fearful, easily exploitable subclass from our society," then the ojective of the law has not been met.

Sources at the INS recently estimated for Refugee Reports that 4-to-5 million aliens remain undocumented.

"The Congressional debate surrounding legalization has rested without exception on the premise that the future enforcement of U.S. immigration law will be made more efficient and effective if there is not a large resident illegal alien population," wrote Doris Meissner and Demetrios Papademetriou in The Legalization Countdown. "With a 1982 cutoff date, perhaps twice as many aliens as those eligible for the one-year legalization program will remain in an illegal status."

Meissner and Papademetriou noted, "The five-year, January 1, 1982 cutoff date of the general legalization program makes the U.S. program the most restrictive of all the nations that have had similar programs."

Short-Term Efforts Focus on Workplace Rights Even the legislative remedies most likely to succeed do not offer relief to a population which by many accounts is in desperate straits now.

On June 1, employer sanctions will go into full effect. Thereafter, employers hiring undocumented aliens will not necessarily be given a warning citation before being levied with penalties.

On the east coast, in particular, labor shortages are being felt in many of the employment sectors that have relied on undocumented labor. "Many restaurants in this area are greatly impacted, and trying to cope with the labor shortage," said Tom Rouland, executive vice president of the Restaurant Association of Metropolitan Washington.

Jose Medina, executive director of

Instituto Laboral in San Francisco, said, "The new law has placed a greater burden on employers than they ever anticipated. The [enforcement] functions of the INS have been turned over to employers."

Medina said, however, that other employers, particularly smaller enterprises, will say to themselves that the INS will focus sanctions on the garment, hotel, restaurant, and construction industries, and will be willing to take the risk of continuing to hire undocumented workers. "They will measure the risk of a fine against their profit margin for hiring undocumenteds."

Medina is well-situated to assess the impact of employer sanctions, since a San Francisco hot-line set up to inform aliens of their rights referred employment-related cases to his organization.

"There have very definitely been unscrupulous, ruthless employers subjecting their employees to unsafe and unhealthy conditions," he said. "We tell them that they still need to uphold OSHA regulations and threaten to take them to court."

Instituto Laboral resolves most cases out of court, however. "The employer can make the simple calculation that it's cheaper to pay his worker than to face legal action."

Labor Unions Advocate for Safe and Fair Working Conditions Labor unions are also playing an increasingly important role in upholding workplace rights for the undocumented.

"We tell undocumented aliens that their best protection in the workplace is to sign a union card," said Enid Eckstein of the Service Employees International Union (SCIU) and chairperson of the Immigration Rights Advocacy Training and Education Project (IRATE), which represents a coalition of unions in the Boston area.

Much of IRATE's energies are directed to informing "grandfathered" employees of their rights. Aliens who were hired prior to the signing of the law on November 7, 1986 are "grandfathered in," meaning that employers do not have to check their documentation.

Grandfathered employees are particularly vulnerable to exploitation, because they have no other options. If they are fired, no one else can legally hire them. A number of agency personnel told Refugee Reports of cases in which grandfathered employees had their work hours increased without receiving overtime pay. One told of a Salvadoran woman who had worked 76 hours a week, $2 per hour in a restaurant for the past four years. Three years ago she cut her finger on a slicer and now needs continuing medical coverage to reconstruct damaged joints, but the employer refuses to apply for workman's compensation.

"We are set up to aggressively defend those grandfathered because we feel that if they are dismissed they will have no place to go," said Eckstein.

"Know Before You Act" Many thousands of people, including new arrivals, were not employed before the law went into effect. Their options are even more limited.

Some groups are exploring employment options not involving employers, such as cottage industries where piece work is produced in the home and cooperatives where, in effect, the undocumented work group is self-employed. Others are trying to figure out a way to use sixth preference visa numbers to obtain labor certification for undocumented aliens.

But many appear to be turning to clearly illegal means to circumvent the law. "Thousands upon thousands are using false documents," said McMahon. In response to this, Los Angeles groups have come together in the Coalition for Humane Immigration Rights (CHURLA), and, among other activities, has started a "Know Before You Act" campaign to tell aliens of the dangers of buying false documents.

"Be aware that if you are caught, it will be the end for you," McMahon says is the thrust of the message. "Be clear that this is not the way to go."

Penalties for the use of false documents to gain employment include fines and imprisonment.

Safety Nets For the undocumented who are or become unemployed, there is no safety net of federally funded benefits. As INS Commissioner Alan C. Nelson told the Senate Subcommittee on Immigration and Refugee Affairs, "A major component of the new law is that agencies verify the documentation and status of alien applicants for public benefits such as public assistance, food stamps, educational assistance, housing, and unemployment compensation."

To do so, the INS has instituted the Systematic Alien Verification System (SAVE), an automated computerized system for determining the legal immigration status of persons using public benefits nationwide (see Refugee Reports, Vol. VII, No. 9).

City governments in San Francisco, Chicago, Boston, and New York have been exploring ways they might be able to help. On May 4, the last day to register for legalization, the City of New York sent out 80,000 brochures entitled "Immigrant New Yorkers: It's Your City Too." The pamphlet lists city services to which aliens are entitled regardless of legal status, such as education and emergency health care, fire and police protection. A hot-line set up during the legalization period will continue, geared toward the continuing population of undocumented aliens.

"The Mayor's office has been active in working on legalization," said Elizabeth Bogan, director of the Office of Immigrant Affairs for New York City, "but now we are switching gears and consciously thinking about the remaining undocumented population."

Muriel Heiberger, executive director of the Massachusetts Immigration and Refugee Advocacy Coalition, said, "We hope there will be some way through State public assistance to cushion the harshest impact of this new law on undocumented people, but it is questionable whether there is enough money in the State budget to provide these services."

In the end, Central Americans who are afraid to go home will stick within their own community and provide whatever means of support they can for each other.

"There has always been a large measure of self help in this community," said Oscar Herrera, director of survival services of the Father Moriarty Central American Refugee Program in San Francisco and himself the son of Salvadoran parents. Those who do have jobs, housing, or legal status will share what they can with those who do not have these things. "But not many will resign themselves to return," said Herrera. "Instead they say, 'I would rather die here of starvation than from a death squad in El Salvador.'"

Recent Developments

COURT ORDERS INS NOT TO HARASS, COERCE SALVADORANS TO LEAVE

The Immigration and Naturalization Service (INS) has been ordered to stop employing threats, misrepresentation, subterfuge, or other forms of coercion to induce Salvadorans to accept "voluntary departure" to El Salvador.

On April 29, U.S. District Court Judge David Kenyon issued the order for a permanent injunction against the INS on behalf of a nationwide class of Salvadorans.

The class action, Orantes-Hernandez v. Meese, was brought on behalf of all Salvadorans in the United States who have been or will be taken into custody by the INS. Although the court found that "a substantial number of Salvadorans who flee El Salvador possess a well-founded fear of persecution," and are eligible to apply for asylum, it also noted that "the vast majority of Salvadorans apprehended sign voluntary departure agreements which commence a summary removal process."

The widespread acceptance of voluntary departure, the court concluded, is due in large part to the coercive practices of the INS combined with the unfamiliarity most Salvadorans have of their rights under U.S. immigration laws.

"INS agents used a variety of techniques to procure voluntary departure," wrote Judge Kenyon, "ranging from subtle persuasion to outright threats and misrepresentations. Many class members were intimidated or coerced to accept voluntary departure even when they had unequivocally expressed a fear of returning to El Salvador."

"It is an extremely significant decision," said Linton Joaquin, director of the Central American Refugee Center (CARECEN) and one of the attorneys representing the plaintiffs in the case.

The government has 60 days to appeal the decision, and it is widely expected to do so. However, a Justice Department source told Refugee Reports that "no decision has been made on whether or not to appeal," and that Judge Kenyon's opinion is "still under review."

TEXT OF ORANTES-HERNANDEZ INJUNCTION CONCERNING SALVADORANS IN INS CUSTODY

°Defendants shall not employ threats, misrepresentation, subterfuge or other forms of coercion, or in any other way attempt to persuade or dissuade class members when informing them of the availability of voluntary departure.... The prohibited acts include, but are not limited to:

° Misrepresenting the meaning of political asylum and giving improper and incomplete legal advice to detained class members;

° Telling class members that if they apply for asylum they will remain in detention for a long period of time, without mentioning the possibility of release on bond....;

° Telling class members that their asylum applications will be denied, that Salvadorans do not get asylum....;

° Representing to class members that the information on the asylum application will be sent to El Salvador;

° Representing to class members that asylum applicants will never be able to return to El Salvador;

° Indicating that Salvadoran detainees will be transferred to remote locations if they do not elect voluntary departure;

° Advising Salvadorans of the negative aspects of choosing a deportation hearing without informing them of the positive options that are available;

° Refusing to allow class members to contact an attorney; and

° Making daily announcements at detention facilities of the availability of voluntary departure.

° Defendants shall inform the class member of the existence of his or her rights to be represented by an attorney, to request a deportation hearing, and to apply for political asylum.

° If...the class member informs Defendants that he or she wishes to apply for political asylum and/or a deportation hearing, or otherwise indicates that he or she fears returning to El Salvador, Defendants shall not advise, encourage, or persuade the class member to change his or her decision.

° Defendants shall provide the class members with access to telephones....

° Defendants shall revise and maintain updated and accurate legal services lists....

° Interested friends and counsel...will be informed of [detained Salvadoran's] location [and] of the date, time, and place [if the person is scheduled for voluntary departure]....

° Defendants shall...[g]ive counsel 24 hours actual advance notice of the date, time, and place...before removing the class member from the United States; [p]ermit counsel to rescind an agreement to voluntarily depart on behalf of the class member; ....[a]llow counsel or paralegals...reasonable access to class members....

° Defendants shall permit detained class members to receive and possess legal materials...and any other written materials.... Writing materials, including paper, pencils, pens, and access to typewriters, must be made available in detention facilities.

° Defendants shall provide detained class members with those legal materials regarding immigration matters which are currently available in both English and Spanish, and should work in conjunction with counsel for plaintiffs to produce additional materials in Spanish....

° Defendants shall not place any class member in solitary confinement for a period of more than 24 hours except upon good cause and unless said class member has been provided...[w]ritten notice of the charges...[a]n opportunity to appear at a hearing....

° Defendants shall not transfer detained class members who are unrepresented by counsel from the district of their apprehension for at least seven days to afford class members the opportunity to obtain counsel.

° Where a class member is represented by counsel...he or she can be transferred to other locations...however, venue shall remain in the district where the class member's counsel is located....

INS detention facility, El Centro, California / Benedict J. Fernandez

Joaquin said that it would be difficult to overturn on appeal because "the Judge made strong findings of fact based on an abundant record."

Previous case law dealing with issues such as informing aliens of their rights has derived from individual plaintiffs, not with class actions. Orantes-Hernandez, in contrast, originally filed in 1980, has been building slowly and covers a broad category of people. It brought about a preliminary injunction in 1982 enjoining certain INS practices with respect to Salvadorans, and resulted in a 14-month trial involving some 80 witnesses.

Court Finds Persistent Pattern of Illegal INS Conduct After documenting a detailed litany of coercive policies and practices in every phase of INS dealing with Salvadorans in its custody, Judge Kenyon noted, "This conduct is not the result of isolated transgressions by a few overzealous officers."

"Instead," he found, it "results from INS policies, and forms a pattern and practice of illegal conduct which is approved, authorized and/or ratified by INS personnel at all levels."

Those practices include giving improper and incomplete legal advice about asylum, suggesting, among other things, that Salvadoran applicants will face long detention, that information from the asylum application will be sent back to El Salvador, and that if they apply, their application will be denied anyway.

The court found that the "INS engages in a persistent pattern and practice of misconduct which deprives plaintiff class members of their constitutional right to due process and statutory right to apply for political asylum and withholding of deportation."

Judge Kenyon determined INS processing of detained Salvadorans to be "inherently coercive and often deliberately intimidating."

The court noted that as a general practice "INS knowingly locates its major detention facilities in communities with little or no legal representation available to indigent detainees." In transferring Salvadorans to remote and isolated areas, the court found that detainees "have been deprived of food and kept incommunicado for extended periods of time."

Conditions of detention include total or partial bans on writing materials, restrictions on telephone use, daily announcements of the availability of voluntary departure (without notifying detainees of other rights), limiting daytime visiting hours with attorneys, distributing inaccurate legal services lists, and placing detainees in solitary confinement without a hearing under the guise of administrative segregation.

Judge Kenyon determined that the treatment of Salvadorans at the hands of the INS stemmed in part from inadequate and inaccurate training within the Service. "This pattern of misconduct flows directly from the attitudes and misconceptions of INS officers and their superiors as to the merits of Salvadoran asylum claims and the motives of class members who flee El Salvador and enter this country," he said.

Court Requires INS to Inform Salvadorans of Their Right to Apply for Asylum Judge Kenyon held that notifying Salvadorans of their right to apply for asylum and relief from deportation is mandated by the 1980 Refugee Act. The Eleventh Circuit Court of Appeals has already ruled in Jean v. Nelson that Congress did not make a direct reference to requiring the government to inform aliens of their right to apply for asylum. The court reasoned that no such requirement could be implied, since Congress provides many opportunities without requiring the government to publicize their availability. Judge Kenyon observed, however, that "few of those other 'opportunities' arise in circumstances so perilous as...the situations of those who fled El Salvador."

Charles Wheeler, an attorney with the National Center for Immigrants Rights who represented the plaintiffs, said that this could be a key issue that the government might raise on appeal. "It might come down to a legal decision whether the INS is required to give special consideration to one nationality group," he said.

Wheeler said, however, that the government already treats various alien nationalities differently, such as in the granting of extended voluntary departure (EVD) status. "INS cables seem to change policies and procedures for nationality groups almost daily," he commented, "based on political whim."

Wheeler conceded that the case involved "some unique legal issues," such as deciding how specific safeguards for Salvadorans might change as human rights conditions change in El Salvador.

Neither the INS nor the Justice Department would comment to Refugee Reports on the substance of the case.

ASYLUM CRISIS WIDENS FOR REFUGEES IN SOUTHEAST ASIA

The asylum crisis that began with Vietnamese refugee boats being turned away from Thailand in January appears to be spreading to other Southeast Asian countries, with a refugee shooting reported in Indonesia, threat of a major camp closing in Malaysia, and policy reviews under way in Hong Kong and the Philippines. Meanwhile, boat pushbacks continue in Thailand despite some reports that the Thai government had discontinued the policy. The growing dimension of the problem has reinvigorated calls for a UN-sponsored international conference on Indochinese refugees.

On April 24, a Vietnamese refugee was killed and another wounded when Indonesian soldiers fired on their boat off Natuna Island, according to informed sources. The boatload of 125 people was redirected to Malaysia and arrived at the island camp of Pulau Bidong on April 28. "We have known for some time that Indonesia has been pushing boats back, but this is the first evidence of loss of life," said Roger Winter, director of the U.S. Committee for Refugees. "What we are seeing is the predictable chain reaction to bar asylum throughout the region."

On April 21, a Malaysian official in the prime minister's office suggested that Pulau Bidong, Malaysia's largest refugee camp, with a population of 7,200, may be closed within one year. "There is a big possibility of the government setting a one-year period, from a date to be fixed later...to resettle the Vietnamese," the official said. "Starting from that date, the government will no longer adopt a soft attitude to these illegal immigrants and will turn them away."

Most observers agree that the statement was prompted by a dramatic increase in Vietnamese arrivals in Malaysia, which resulted in part from the redirection of boats from Thailand and Indonesia. In the first three months of 1988, a total of 2,921 refugees arrived, including 1,726 in March alone, according to the UN High Commissioner for Refugees (UNHCR).

The Malaysian prime minister later promised that alternative solutions would be sought through talks with other asylum countries, UNHCR, and Vietnam itself, before the camp was closed.

Hong Kong Debates Alternatives Faced with increasing arrivals, diminished resettlement commitments, criticism of its restrictive closed camp policies, and growing local demands for a long-term solution, Hong Kong is considering a redefinition of the status of Vietnamese boat people, according to Sir David Wilson, governor of Hong Kong. "We will not see people sinking in boats in front of Hong Kong," Wilson said, but he did indicate that individuals identified as illegal immigrants, rather than refugees, could be returned to Vietnam.

Hong Kong's Vietnamese refugee population stands at 9,500, of whom 6,700 are in closed camps, where access and services are limited and residents are not allowed to seek outside work. The 2,800 people who arrived before July 1982 are housed in an open camp, Kai Tak, where they are permitted to take temporary employment.

Oxfam Hong Kong, a relief and development agency, criticised the closed camps in a November 1987 report, calling their serious overcrowding and prison-like atmosphere a "scandal." Christopher Bale, director of Oxfam Hong Kong, said the camps are "just barely adequate for short-term stays, but there are almost 5,000 people who have been living in these places for three years, and 3,000 who have been in them for more than five years." The Oxfam report also stated that the closed camp policy has not been effective in deterring new arrivals.

"Keeping camps closed may not be a very effective deterrent to fresh migration," said Rita Fan, head of the Hong Kong Legislative Council's ad hoc committee on refugees, "but if we don't use this, then we have no deterrent at all. While we find a long-term solution, they are a necessary evil." Fan said that resettlement countries should be pressed to admit the nearly ten thousand refugees now in Hong Kong, but new arrivals should be detained indefinitely until they can be returned to Vietnam.

"As things stand now," said Fan, "higher resettlement rates only prompt more people to leave Vietnam,...so there is really no point in persuading them to increase their quotas unless we can assure them that a solution has been found."

Resettlement of refugees from Hong Kong dropped from 3,816 in 1986 to 2,212 in 1987, while arrivals jumped from 1,817 to 3,291 in the same period.

Sources report that the Philippines is also reviewing its asylum policies in light of developments in the region.

Pushbacks Continue in Thailand Recent media reports indicate that the Thai government has signed an agreement with UNHCR which provides for the movement of Vietnamese boat arrivals to Site 2, a camp on the volatile Thai-Cambodian border. One account in the Washington Post reported that Thailand also "agreed to allow all new boat arrivals to land," but such a promise does not appear to have been part of the agreement with UNHCR. "Our deterrence policy remains in effect," a Foreign Ministry official told the New York Times on April 20, "but we have clearly stated that this will be done in a humanitarian way." Field reports continue to document pushbacks of boats in the southern provinces. One recent incident involved the pushback of 79 refugees near Songkhla on May 8.

On May 7, a group of 385 Vietnamese were moved from a beach shelter in Trat Province to Site 2. Previously, 252 boat Vietnamese were moved in Site 2 in March. An additional 1,200 boat arrivals remain in Trat beach shelters and over 500 more are still on Rang Yai Island.

New Calls for an International Conference "We can't go on forever. Something must be done now," said Malaysian Foreign Minister Abu Hassan Omar, following an April meeting with Jean-Pierre Hocke, the UN High Commissioner for Refugees. "The only thing to do is to get all the countries together--the first asylum countries, the Vietnamese and the receiving countries--so this can be discussed. There is a need for an integrated solution." At a May 2 meeting in Dusseldorf of the foreign ministers of the European Community and the six-member Association of Southeast Asian Nations, consen-

(continued on page 14)

FLEEING AFGHAN REFUGEES WERE MASSACRED, AMNESTY INTERNATIONAL CHARGES

Soviet and Afghan government forces deliberately killed Afghan refugees traveling toward Pakistan in 1987, according to a May 1988 report by Amnesty International (AI).

The report states that "the victims were deliberately killed while obviously helpless after having been identified as refugees." Amnesty says the killings were part of a pattern of abuse in which refugees "are routinely seized and summarily executed or otherwise attacked and deliberately killed."

The Amnesty report, Afghanistan: Unlawful Killings and Torture, is based on testimonials from refugee survivors and witnesses of assaults on columns of unarmed refugees.

Reports included an account of a teacher from Kabul who in fleeing Afghanistan in May 1987 came across the bullet-riddled bodies of about 130 refugees who had used a known refugee escape trail in the Yakpaaya valley of Logar Province near the Pakistan border. The refugees had apparently been killed the previous day.

Other refugee accounts include those of the survivors of a group of 100 families who fled their village near the Soviet border, Sherkhudo, after it came under intense bombardment in September. In two separate incidents in October the unarmed group making its trek to Pakistan was subjected to rocket attack by Soviet helicopters and rifle fire and shelling by government forces. AI listed the names and ages of the dead, many of whom were children.

Amnesty notes that the reported killings of refugees date from the period after the Afghan leader, Najibullah, announced a "National Reconciliation" policy in January 1987 calling for the return of Afghan refugees.

"The killing of refugees trying to go abroad has been accompanied," the report notes, "by attempts to encourage refugees who are already abroad to return home." AI mentions the case of a 67-year-old man in Kabul who was arrested in March after he rejected police requests to write to his step-brother in the United States to return home. By the end of the year, the man was believed to remain in detention.

The Amnesty International report also documents torture and extrajudicial executions of non-refugee Afghans, as well as forced military conscription of "released" political prisoners.

Afghan refugees head for the border/UNHCR sus reportedly was reached on the need for such a conference.

Most observers agree that the restoration and preservation of asylum for refugees in Southeast Asia will depend on an "integrated solution," but there is considerable debate and disagreement as to what that solution should include and how to realize it. Proposals made by the first asylum and resettlement countries have included international "sharing-out" of commitments to resettle the "long-stayers" in refugee camps, expansion of legal immigration routes through the Orderly Departure Program, the establishment of screening programs to distinguish genuine refugees from those fleeing for other motives, and the creation of closed camps with limited or no access to resettlement in order to deter refugee departures.

Update

- Violence in Site 2, a refugee camp on the Thai-Cambodian border housing 160,000 Cambodians and about 4,000 Vietnamese, has been escalating rapidly in 1988 and an expert assessment of the security situation predicts an armed revolt in the camp within the year. "The camp is self-destructing from within," said a relief worker in Thailand. "We are seeing the social fabric unraveling at an increasingly alarming rate."

According to the worker, the UN Border Relief Operation (UNBRO) has reported a rapid escalation of "victims of violence" cases. In 1987, 455 cases of violence were reported, 55 percent of which were beatings. "The reasons," according to the notes, "are increasingly bizarre and trivial incidents that escalate. There are many ax injuries and beatings with bamboo sticks." There were twelve suicide attempts in March and two murders in April. "Site 2 is killing the Khmer, physically and spiritually," said another source.

In addition to the violence Cambodians have suffered at the hands of family members and neighbors, there are the continued abuses of Task Force 80, the Thai paramilitary security unit. According to the worker, guards have begun confiscating valuables belonging to the refugees--tape players, radios, etc.--"perhaps because TF 80 is supposed to be replaced soon and they want to get the goods while they can." TF 80 guards are to be replaced shortly by better trained Displaced Persons Protection Units.

The relief worker cited a conclusion reached by Shield Asia, a team of security specialists, that armed revolt is likely within the year, given the growing desperation and the wide availability of weapons.

"There must be continued pressure on the Thai to allow the camps to be divided and to move," said the worker. "They need land and breathing space. They need choices--the smallest control over their lives. But all of these measures...are probably still not enough.... They need to go home safely. They desperately need a political settlement. It's their only hope."

- A 63-year-old Salvadoran refugee at the Colomoncagua refugee camp was shot and killed by Honduran soldiers on April 23, according to sources working in the camp. The refugee, Santos Saenz Vigil, was reportedly shot four times by one soldier. He had been tending his garden within the confines of the camp, and there is no evidence of provocation before he was killed.

Subsequent to the killing, tension in the camp has been high and gunfire is frequently heard around the camp at night. Among other incidents that have occurred was the arrest on May 2 of Francisco Deras, a Honduran employee of Caritas in the camp. Deras was subjected to physical ill-treatment before being released the following day. UNHCR has lodged protests concerning both incidents and the UNHCR presence at Colomoncagua has been reinforced.

- On April 27, Senators Edward M. Kennedy (D-Mass.), Strom Thurmond (R-S.C.) and Alan K. Simpson (R-Wyo.), all members of the Senate Judiciary Committee, sent a letter to President Reagan stating that "we have consulted with Secretary of State Shultz on your request to admit this year an additional 15,000 refugees.... We concur in this request on the condition that the foreign policy, humanitarian and fiscal issues involved will be thoroughly reviewed at a hearing scheduled at a mutually convenient time."

In a Senate speech the following day, Kennedy said the development of a new flow of Armenians from the Soviet Union, who have been allocated 12,000 of the additional FY 88 numbers, "must be given a thorough airing if our refugee program is to receive the support it deserves, and if they are bona fide refugees."

° The Subcommittee on Foreign Operations of the House Appropriations Committee has reported out an FY 89 appropriations bill that would give the Department of State $338,450,000 for refugee and migration assistance, the same level of funding provided in FY 88. The bill, in addition, appropriates $23,500,000 for the Office of Refugee Resettlement to make up for the discrepancy between the State Department's estimate of 68,500 refugee arrivals in FY 89, and ORR's estimate of 51,000.

The bill also appropriates $30,000,000 for the emergency migration and refugee assistance fund "to meet additional requirements for refugee assistance resulting from admission of additional Soviet Jews and Vietnamese Amerasians. The House appropriations bill includes an earmark of $27,500,000 for refugees resettling in Israel, and an earmark of not less than $15,000,000 for resettlement of Amerasians.

Projects and Programs

AMERASIAN PROGRAM PLANNING GROUP CALLS FOR RESETTLEMENT IN CLUSTER SITES

Since 1982, about 4,100 Amerasians and 6,100 family members have entered the United States. But prospects for admission of much larger numbers were enhanced with passage of the "Amerasian Homecoming Act" last December. Introduced by Rep. Robert Mrazek (D-N.Y.), the act provides for the admission of Amerasians "without numerical limitation" for a two-year period beginning March 1, 1988. Amerasian families, furthermore, will enter the country as immigrants, but with full refugee benefits.

Anticipating arrivals of up to 30,000 Vietnamese Amerasians and accompanying family members in the next two years, an Amerasian resettlement planning committee has completed a report calling for placement of Amerasians in a "coordinated plan of cluster sites" throughout the country.

The report also recommended that "immediate intensive services," including orientation and support, language training, and job counseling, should be made available to Amerasians as soon as they arrive to help them and their families through the initial and often painful process of adjustment.

The committee included representatives from ORR, the State Department, voluntary agencies, mutual assistance associations, state refugee coordinators, as well as the Vietnam Veterans of America, the Indochina Resource Action Center, and the Center for Applied Linguistics.

The Office of Refugee Resettlement (ORR), which funded the committee's two national meetings and subsequent report, has indicated that limited special funding will be available for Amerasian resettlement, but insists that the number of cluster sites be restricted at least for the next year in order to conserve resources.

Experts Say Cluster Sites Make Sense "The clustering concept is a very good one," said Rose Marie Battisti, executive director of the Mohawk Valley Resource Center for Refugees in Utica, New York. Her center has resettled more than 360 Amerasians and their families since 1983--a larger number, Battisti believes, than any other city in America. Other committee members have cited Utica as one of the model programs for Amerasian resettlement in the United States.

There are three reasons for Utica's success, Battisti told Refugee Reports. First, "Utica is a small city, with a population of only about 76,000. Refugees don't fall through the cracks here." Second, she said, "We run a kind of one-stop shop, so we see the Amerasians virtually every day." A combination of voluntary agency and state funding means that the Mohawk Valley center not only provides reception and placement services, but language training and job counseling as well.

Finally, and perhaps the most important concept behind clustering, Utica provides a community of Amerasians who are, Battisti said, "a support group to each other. They intermarry, they work together, they have become the hub of the refugee community here."

The mutual support that Amerasians share holds true for their mothers too, says Anna

Peterson Crosslin, executive director of the International Institute of Metropolitan St. Louis, in Missouri. "They have a natural sympathy for each other's circumstances, and are more comfortable relating with one another than with the Vietnamese or American communities," Crosslin said. Her agency has resettled about 200 Amerasians and family members since 1983.

"What we have learned about clustering is that there is more to it than just sending a group of people to the same site," said Nancy Schultz, coordinator of children services for U.S. Catholic Conference, Migration and Refugee Services. "A functioning cluster site means people have easy access to one another. It is what one is doing operationally that defines the concept."

Ngoan Le, director of the Vietnamese Association of Illinois in Chicago, would agree. "The central element in selecting cluster sites should be the quality of services available rather than the location itself," Le said. "It doesn't really matter if you are in a small town or big city. There needs to be close supervision at the initial stage of resettlement, so that problems can be taken care of right away."

Le's association conducted a survey in March of about 100 Amerasians and family members and found that fifty percent of the Amerasians surveyed said they were having problems in school. Of these, 25 percent had dropped out, 15 percent had run away from home, and 20 percent had experienced "minor brushes" with the law. The survey also indicated that the average age of an Amerasian in Chicago was 17, and the typical Amerasian family unit was composed of three people.

Le pointed out that some of the problems experienced by Amerasians were common to adolescents in the same age group, regardless of ethnic background or family status. Still, most observers seem to agree that Amerasians coming to the United States experience a kind of "triple-whammy" identity crisis. They are vulnerable, first, to the normal identity crises of teenagers, second to the anxieties of adjustment that are common to the refugee experience, and third, as Amerasians, they are still dealing with the special crisis of growing up biracial and without a father in an ethnically homogenous society that, in the words of the committee report, "confers identity from the father's family."

In order to be successful under these circumstances, Le said, service agencies need to be "proactive," considerate of these special needs, and must also seek "lots of support from the local community."

ORR Presses Voluntary Agencies to Limit Initial Number of Cluster Sites While information is sketchy as to actual numbers of Amerasians and family members expected to arrive in each of the next two years, State Department officials estimate that only about 1,000 Amerasians and family will arrive in FY 88 and that large numbers will not begin to arrive until the second half of FY 89. Such a gradual start up means that "community level planning can proceed at a deliberate pace," ORR Director Bill Gee said in a letter to InterAction. "I would thus hope that voluntary agencies would prioritize (and thus limit) their proposed cluster sites for this initial period, and utilize only those needed for October 1988--March 1989 arrivals."

In February the State Department's Bureau for Refugee Programs (BRP) invited the voluntary resettlement agencies to submit a list of sites suitable for Amerasian resettlement. Following a review and winnowing out of several unsuitable locations, the State Department list now includes eight voluntary agencies and about 26 sites around the country. "We have never insisted on a fixed number," said Anita Botti of the BRP, "but we are comfortable with the list and the review process so far."

An ORR official said that the purpose of the request to prioritize sites was not meant to limit the absolute number. "What we intended to convey," said Allan Gall, "was the idea that it wouldn't work to implement a cluster approach if you start with all the sites simultaneously."

Wells Klein, executive director of the American Council for Nationalities Service and InterAction chair of the planning committee, said that "the voluntary agencies are concerned with trying to get the cluster sites down to a manageable number. We recognize that sites need to be prioritized in order to make effective use of resettlement funds. But there are important case work considerations that come into play as well," relating to optimal numbers of families per site and the rate at which they are resettled.

Voluntary agencies have considerable latitude in placing Amerasian families, as about 65 to 75 percent are "free cases," that is, without family members already in the United States, according to Marta Brendan, consultant for children in migration for Lutheran Immigration and Refugee Service and coordinator for the planning committee. The percentage of free cases in the Indochinese refugee population as a whole is "far lower," Brendan said. In cases of close family reunification, voluntary agencies generally are obliged to resettle newly arriving refugees with their relatives.

Committee Offers Advice to Cluster Sites

Planning committee members had several recommendations for potential cluster sites as they prepared for new Amerasian arrivals. Given the limited education Amerasian children typically received in Vietnam, both Le and Battisti agreed that alternative or supplement programs were needed to regular high school programs, with an opportunity to monitor education progress closely and make adjustments. "New sites will have to be innovative," said Battisti, "I don't think the public school system makes sense for this group. Good, intensive language and vocational training programs are much more useful."

For Amerasians who must be in school due to state age requirements, Battisti recommends after-school programs. Two former Vietnam veterans volunteer their time in her program to teach computer skills, along with English practice.

"This is an older age group now," said Crosslin, "and some of the things we did last time won't be appropriate anymore. They may not be adults emotionally, but the expectation is that they will need to go to work early. A high school degree may not be a realistic goal, initially."

Schultz says that "a certain level of professional intervention" on the part of social workers is also critical to consider. "This is not resettlement-as-usual. There are some serious problems to address, which call for sophisticated thinking" by local service providers.

In order to promote communication and coordination between cluster sites, the Amerasian resettlement planning committee suggested that a "national point of contact" be designated to gather and disseminate information, promote technical assistance and resource sharing, stimulate local community planning, and troubleshoot problems.

"We tend to focus on the problems," said Ngoan Le, "but it is important to remember that some of the families are doing very well." She gave the example of an Amerasian who heads a Vietnamese student club at Senn Academy, a public high school in Chicago. And while she strongly endorses special funding and support for Amerasian families, Le said that local agencies must work to adjust the "unrealistic expectations" these families may have about resettlement. "This group has been ignored and neglected for such a long period of time. Now, suddenly, they are getting lots of attention, intensive media coverage. We must be sure they are ready to cope when the TV cameras turn off again."

Meetings and Conferences

° The American Immigration Lawyers Association (AILA) will hold its Annual Conference on Immigration Law, from June 15 to June 19, at the San Diego Marriott Hotel, in San Diego, California.

Among refugee-related topics covered will be panel discussions on "International Refugee Issues: Restrictive Policies at Home and Abroad," "Asylum Policy: The Justice Department Perspective," and "Cardoza-Fonseca: One Year Later."

Registration is $375 for AILA members ($275 for members who work for nonprofits), and $475 for nonmembers. Late charges will be added after June 1.

For further information, contact the AILA national office, 1000 16th Street NW, Suite 604, Washington, DC 20036. (202) 331-0046.

Resources

PROSPECTS FOR GUATEMALAN REFUGEE REPATRIATION ASSESSED

Guatemalan refugees are studied perhaps in greater detail than ever before in two new books by Beatriz Manz, an anthropologist affiliated with Wellesley College and Harvard University.

Based on extensive fieldwork in Guatemala and Mexico, Refugees of a Hidden War: The Aftermath of Counterinsurgency in Guatemala and Repatriation and Reintegration: An Arduous Process in Guatemala look at the situations of refugees and displaced persons and the conditions that they face upon return to their former homes.

The more lengthy study, Refugees of a Hidden War, while offering historical and even worldwide refugee contexts for understanding the Guatemalan situation, makes its original contribution through its detailed assessment of conditions in the highland municipality of San Mateo Ixtatan, the Ixil-speaking region of El Quiche and the northern lowland area of Ixcan. It concludes that the military has embedded itself in the coutryside in far-reaching ways, that fundamental economic and social reforms have been precluded, and that essential guarantees of life and safety are absent. The traumatic aftereffects of a particularly brutal counterinsurgency war waged largely against the civilian population itself has left a legacy of mistrust and fear that has been deepened by the involvement of the military in development schemes in these same regions.

As its title suggests, Repatriation and Reintegration gives more extensive treatment to a subtopic of the other work. However, given the attention focused on Central American refugee repatriation, both from the point of view of the Arias Peace Plan as well as U.S. debates on the impact of the new immigration law and safe haven legislation, this shorter work is likely to have a greater impact on refugee policy.

Although both books are newly published this year, Manz's field work for the larger, 283-page Refugees of a Hidden War ended in June 1986, while the shorter, 72-page paperback, Repatriation and Reintegration is more current, reflecting field work through June 1987, and responding to such recent pertinent events as the August 7, 1987 signing of the Arias Peace Plan.

In Repatriation and Reintegration, Manz looks both at the economic and political context for reptriation--human rights, land reform--as well as the logistical and procedural problems associated with it. In both cases she presents a strong argument that the conditions are not suitable for repatriation of the refugees.

Unresolved issues, including abusive treatment by local authorities, ambivalence of the military, mandatory civil patrol service, loss of land, lack of independent human rights monitors, and disrespect of Indian culture continue to make successful integration of returnees unlikely, according to Manz.

Also lacking, she points out, is the development of an infrastructure to accommodate repatriates.

Manz interviewed a number of Guatemalan refugees who have returned. She said that it was difficult to conduct interviews at all "because of the tight and obvious control exercised by the civil patrol and the refugees' own fear." Nevertheless, the refugees confirm Manz's conclusions. Instead of returning to their former homes and lands, returnees found themselves confined to galeras, large barrack style buildings, in the polos de desarrollo, "development poles," set up by the army to regroup the population in easily controlled "model villages."

"We are still in the galera piled up like animals," one returnee told Manz in March 1987. "When we came we were told that there will be land and houses, but there is nowhere to work....We came to respect the laws, but we are sad right now. There is no life now. We are like chickens in the field, not like we were in Mexico. In Campeche [where many Guatemalan refugees are located in Mexico] we built our houses, because COMAR gave us the wood."

Refugees of a Hidden War is available for $16.95 paper, $46.50 cloth, from the State University of New York Press, P.O. Box 6525, Ithaca, NY 14850. (607) 277-2211. Include $1.50 for postage and handling. Repatriation and Reintegration can be ordered for $7.50, plus $1 for handling, from the Center for Immigration Policy and Refugee Assistance (CIPRA), Georgetown University, P.O. Box 2298, Washington, DC 20057. (202) 687-7074.

GUATEMALA: ETERNAL SPRING, ETERNAL TYRANNY

The history of human rights in Guatemala is captured in words and photos in a recent book by Jean-Marie Simon. The title of the book, Guatemala: Eternal Spring, Eternal Tyranny, encapsulates well the disquieting mix of beauty and horror that gives this volume its unique power.

Simon's photos demonstrate her feel for the textures and nuances of life in Guatemala. The text, by bringing together interviews and press reports, juxtaposing Amnesty International and U.S. State Department human rights reporting, reveals the conflicting voices speaking on the abuses that have left tens of thousands dead and hundreds of thousands displaced.

Simon has no hesitancy in assigning blame. She says, "If the Guatemalan government and the U.S. State Department encounter 'difficulty in assigning responsibility' for Guatemala's atrocities, then they are alone." Simon places the blame squarely on the Guatemalan army and security forces.

"In Guatemala," she notes, "no one outside the charmed circle of the army and the very rich is safe, almost everyone is a victim in one way or another, and even those privileged few who remain immune from repression are conditioned by cowardice or greed."

Guatemala: Eternal Spring, Eternal Tyranny is published by W.W. Norton and Company. It is available for $20 through Americas Watch, 712 G St., SE, Washington, DC 20003. (202) 546-9336.

CHILDREN'S DRAWINGS FROM EL SALVADOR

Salvadoran refugee children in Honduran refugee camps in 1984 were supplied with bright-colored crayons for play therapy and asked to draw their memories of their homeland. The colors did not evoke images of flowers, trees, and sunshine, but rather stark and crude images of blood, fire, and death. Fire from the Sky is a collection of 24 drawings, a disturbing testament to the violence these children fled.

Fire from the Sky is available for $10 from the Salvadoran Children's Fund, P.O. Box 50743, Washington, DC 20004. (202) 737-5317. For bulk orders of 10 or more, the price is reduced to $5.

A similar publication, Children Sharing..Children Caring..., featuring drawings and writings of Central American refugee children is available from DIAKONIA, APDO 500-2050 San Pedro, San Jose, Costa Rica.

SALVADOR EVD HEARING REPORT NOW AVAILABLE

The Senate subcommittee on immigration and refugee affairs has recently published its hearings on the Moakley/Deconcini bill (S. 332) to provide for a temporary safe haven for Salvadorans in the United States pending a General Accounting Office investigation and report on conditions of displaced Salvadorans. (At the time of the hearing, only Salvadorans were included in the bill. Since then, Nicaraguans have been added as well.)

The hearing includes testimony from government witnesses such as Alan Nelson, commissioner of the Immigration and Naturalization Service, and State Department officials. Private sector testimony includes Aryeh Neier of Americans Watch, Michael Posner of the Lawyers Committee for Human Rights, and Roger Conner of the Federation for American Immigration Reform.

The interchanges between senators and witnesses are both informative and entertaining, particularly when Senator Alan K. Simpson (R-Wyo.), a prominent opponent of the bill, faces off with the bill's private-sector supporters.

The report also includes a number of important documents, including a copy of the letter from President Duarte to President Reagan in which the Salvadoran President asks for nondeportation of Salvadorans in the United States.

The hearing report also contains the complete text of the Refugee Policy Group report, Safe Haven: Policy Responses to Refugee-Like Situations (see Refugee Reports Vol. VIII, No. 8).

A limited number of copies of the hearing report, Temporary Safe Haven for Salvadorans, (Serial No. J-100-26; Stock No. 552-070-03284-3), are available free of charge from the Senate Subcommittee on Immigration and Refugee Affairs, SD-518 Dirksen Senate Office Building, Washington, DC 20510.

It can also be purchased for $9 from the Superintendent of Documents, Congressional Sales Office, U.S. Government Printing Office, Washington, DC 20402.

SUMMARY OF REFUGEE ADMISSIONS, FIRST HALF OF FY 88

COUNTRY OF CHARGEABILITY	FY ADMISSIONS AS OF 3/31/88	FY 88 CEILING
AFRICA		
Angola	7	
Ethiopia	598	
Kenya	1	
Lesotho	2	
Mozambique	7	
Namibia	2	
Somalia	3	
South Africa	15	
Tanzania	1	
Zaire	1	
TOTAL AFRICA	637	(3,000)

Source: U.S. Department of State, Bureau for Refugee Programs

COUNTRY OF CHARGEABILITY	FY ADMISSIONS AS OF 3/31/88	FY 88 CEILING
EAST ASIA--1ST ASYLUM		
Cambodia	230	
Laos		
Highland	3,155	
Lowland	1,962	
Subtotal Laos	5,117	
Vietnam		
Land and Boat	2,528	
Other	20	
Subtotal Vietnam	2,548	
EAST ASIA--1st ASYLUM	7,895	(29,500)
ODP	2,161	(8,500)
TOTAL EAST ASIA	10,056	(38,000)

COUNTRY OF CHARGEABILITY	FY ADMISSIONS AS OF 3/31/88	FY 88 CEILING
EASTERN EUROPE		
Albania	36	
Bulgaria	29	
Czechoslovakia	191	
Hungary	154	
Poland	1,247	
Romania	1,269	
Soviet Union	8,089	
Yugoslavia	3	
TOTAL EASTERN EUROPE	11,018	(15,000)
LATIN AMERICA		
Cuba	97	
Nicaragua	50	
TOTAL LATIN AMERICA	147	(3,500)
NEAR EAST/SOUTH ASIA		
Afghanistan	1,088	
Iran	2,474	
Iraq	26	
TOTAL NEAR EAST ASIA	3,588	(9,000)
GRAND TOTAL	25,446	(68,500)

REFUGEE REPORTS is published monthly for $28.00 per year for one subscription, $20.00 each for two or more subscriptions to the same addressee, or $20.00 each for ten or more subscriptions requested at the same time, mailed to separate addresses; overseas postage, $24.00 additional; by ACNS, 95 Madison Avenue, Third Floor, New York, NY 10016. Second Class Postage paid at New York and additional mailing offices. POSTMASTER: send address changes to *Refugee Reports*, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204.

Editorial comments and inquiries should be sent to: *Refugee Reports*, 815 Fifteenth Street NW, Suite 610, Washington, DC 20005. All communications regarding subscriptions should be sent to: Refugee Reports Subscriptions, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204. (615) 377-3322.

Basic subscription rate for 12 issues per year: $28.00; Multiple-copy rate: $20.00; Single copies of back issues: $2.50
Editor: Virginia Hamilton; Staff Writers: Bill Frelick, Court Robinson
Distribution Manager: Carolyn Moore; Production Coordinator: Koula Papanicolas
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Refugee Reports

A News Service of the U.S. Committee for
Refugees, a Project of the American
Council for Nationalities Service
Sunbelt Fulfillment Services
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Refugee Reports

A News Service of the U.S. Committee for Refugees
1025 Vermont Avenue NW, Suite 920 Washington, DC 20005 (202) 347-3507
Volume IX, Number 6
June 24, 1988

END OF YEAR "BULGE" PREDICTED ON REFUGEE ADMISSIONS

Month by month, the admission of refugees to the United States is following a feast or famine pattern for FY 88, with thin processing for all regions outside of Eastern Europe/USSR during the first half of the year, and an anticipated glut of refugee processing during the final quarter.

U.S. Refugee Coordinator Jonathan Moore told a Senate committee on June 10 that he projected that the United States would admit 79-80,000 refugees out of the revised FY 88 worldwide ceiling of 83,500. Moore said that the projection was speculative. If it materializes as predicted, the FY 88 ceilings will be met or neared in most regions. This would require, however, a shifting of gears to speed up refugee processing for the remainder of the summer to compensate for the below-average level of refugee processing for all regions except the USSR/Eastern Europe during the first half of the fiscal year. The result will be higher--sometimes dramatically higher--numbers of refugees being admitted in the last quarter of the fiscal year, particularly in the final days of September.

As of March 31, the end of the first half of FY 88, less than one quarter of the refugees authorized per regional ceiling had been admitted--on average--to the United States from all regions other than the USSR/Eastern Europe. The following table shows the percentage of refugees admitted in the first six months out of the yearly ceiling for each region (prior to 15,000 additional numbers being added to the USSR/Eastern Europe ceiling):

Latin America/Caribbean	4.2
Africa	21.2
Southeast Asia/ODP	25.4
Southeast Asia/first asylum	26.7
Near East/South Asia	39.9
USSR/Eastern Europe	73.5

End-of-Year Bulges Could Become a Chronic Problem

The pattern is a familiar one. For the past two years, refugee admissions in the first quarter have been slow and by the fourth quarter large numbers

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have needed to be processed in a "catch up" game to meet the year's ceiling.

"It is systemic," said the Rev. Dr. Donald Larsen, executive director of the Lutheran Immigration and Refugee Service (LIRS) and chairman of InterAction's Committee on Migration and Refugee Affairs. "But all systems are the creation of their makers," he said.

Larsen attributes much of the problem to zero-based budgeting, so that planners do not know how much money they have to work with at the beginning of each fiscal year. "This year," he said, "it became quite obvious to me that decisions on whether to put people into the pipeline were delayed to see whether dollars were available to accommodate the flow."

Larsen said, "When we begin new efforts to arrive at agreements on admissions numbers, we need to reconnect the dollars to the numbers. We need to make planning real, not spurious or mythical. All of us need to be aware of the reality of planning what you pay for."

Processing Problem in FY 88 Especially Acute As much as the current problems fit a pattern, the situation seems to have grown noticeably worse this year.

"This has been one of the most difficult years I've ever seen," said Barbara Williams, refugee resettlement administrator for Church World Service. "Refugees approved by the INS [Immigration and Naturalization Service] and ready to depart are not being processed by the State Department because of money."

A government source said, "All along they were hoping for a release of money, but nobody in the Administration or Congress was willing to blink because of the budget summit agreement."

The source explained a situation of having authority to move 83,500 refugees with a budget for 68,500. "With no green light to dredge up additional money," the source said, "the State Department had to plan for worst-case scenarios."

"If they had just let the wheels roll," the source said, "bringing in refugees without limitation, they would have run out of money and had to shut down the program in mid-July."

State Department planners, the source said, felt "absolutely compelled" to respond to certain critical situations, such as the loosening of Armenian and Jewish emigration from the Soviet Union, the release of Cuban political prisoners, and the deteriorating first-asylum picture in Southeast Asia.

Refugee advocates had been particularly critical of underutilization of all regional ceilings other than that of the Eastern Europe/Soviet Union region in the first quarter. At a Congressional hearing in February, Roger Winter, director of the U.S. Committee for Refugees, said, "We believe the U.S. resettlement process has been deliberately managed so as to significantly fall short of FY 88 ceilings for Southeast Asia." (See Refugee Reports, Vol. IX, No. 2.)

Prior to the last month's Presidential determination for an increased 15,000 places to accommodate the flow out of the Soviet Union/Eastern Europe, some critics had charged that shortfalls in the other regions were a result of efforts to redirect funds for processing of increased numbers of Soviet Armenians, in particular.

A State Department source acknowledged that the Armenian flow was "costly" due to the numbers of people coming in, and that efforts to hold down those numbers have not been successful.

The source insisted that "there have been no shavings of regional budget calculations to bring in Armenians." The source said that those cost-saving measures that have been taken have included reducing the time of processing in Rome and, after June 1, reducing the Reception and Placement grants to the voluntary agencies resettling Armenians to $300 per person.

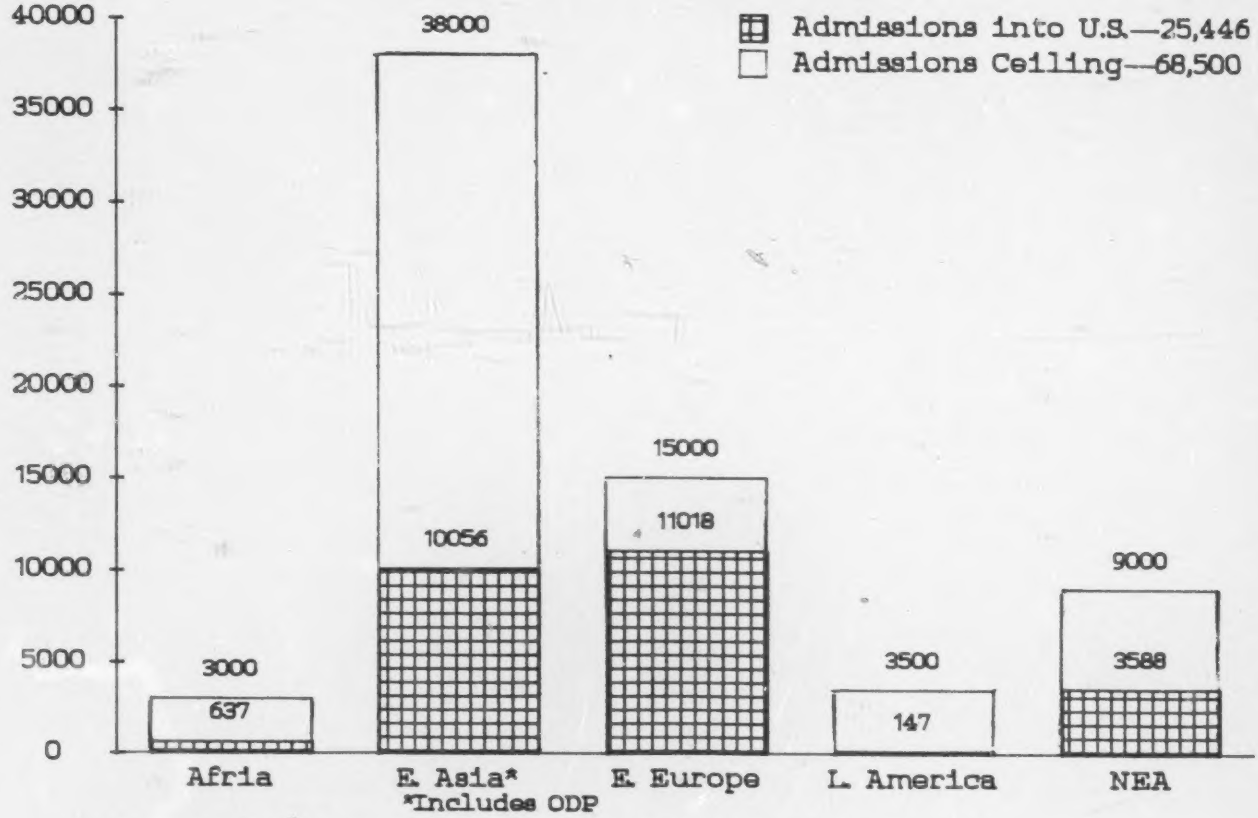
Winter said, "The point of advocacy is to change outcomes. In that context, we are pleased that the Administration is responding--finally--and filling the regional ceilings, but its wisdom in managing the system this way should be seriously questioned."

Latin American Refugee Processing Lags The region lagging the furthest behind its ceiling is Latin America/Caribbean. "The State Department tells us that there are plenty of cases in the pipeline to utilize the numbers, but that the problem is obtaining exit permits from Cuba," said Bob Wright, assistant director for operations of Migration and Refugee Services/U.S. Catholic Conference.

SUMMARY OF REFUGEE ADMISSIONS

Fiscal Year 1988

As of March 31, 1988



Source: State Department/Bureau for Refugee Programs

With 147 refugees admitted (97 from Cuba; 50 from Nicaragua) in the first half of the year, and 980 places authorized for the third quarter, the U.S. would have to admit 2,373 in the last quarter, in order to meet the regional ceiling.

"Castro was concerned about having large numbers of refugees come at once" because of the negative public relations image it causes Cuba, said Wright. "Having 200 Cubans a week landing in Miami would be a large flow," he said. "It looks shaky to me."

Nevertheless, State Department sources maintain that refugees are being processed out of Cuba at a good pace right now. "We are delighted," said one State Department source. "We are getting out the people we want, such as the 'plantados' [long-term political prisoners]."

Africa Regional Ceiling Unlikely To Be Met

In Africa, the major stumbling block for processing Ethiopian refugees (598 of the 637 refugees processed for the entire region this year) appears to be the Sudanese government, which has established a committee to examine each U.S.-approved refugee applicant.

Ethiopian refugees who have been approved by the United States and are ready to travel have to pass through the hurdles of being approved for departure by the Sudanese Screening Committee and having their exit visas separately approved by the Ministry of Interior.

There are apparently a number of African refugees in Europe who have been approved by the INS for admission to the United States, but who have not been authorized to move by the State Department.

"My gut feeling is that the State Department won't spend numbers on these people this fiscal year," said Williams of Church World Service. "They are not a high priority, although they have already been INS-approved."

State Department sources have indicated a certain reluctance to admit newer African refugee arrivals in Europe for fear of contributing to a "pull factor."

Southeast Asian Admissions Likely to Fall Short of Ceiling At the June 10 hearing, Ambassador Moore said that he anticipated that the U.S. would admit 28,000 first-asylum refugees from Southeast Asia, which is closer to the ceiling than either the private sector or the Administration had earlier thought, but still 1,500 short of the first-asylum ceiling. And a shortfall of at least 1,000 places is now expected in the Orderly Departure Program for Southeast Asia.

Refugee admissions for the region can be anticipated, in part, through analyzing those currently in the Refugee Processing Center pipeline. A total of 22,378 Southeast Asians are scheduled to finish their English-as-a-second-language/cultural orientation programs by the end of the fiscal year, although about 10 percent of this number are likely to be held up for medical and other reasons. Other "direct departures" will be admitted to the United States without ESL/CO training. The State Department has authorized 919 direct departures for the third quarter.

Allocations Slow-Down Causes Backlogs of Approved Afghan and Iranian Refugees In the Near East/South Asia region, 3,588 refugees were admitted in the first half of the year, out of a ceiling of 9,000. Another 795 have been authorized for admission in the third quarter. This means that the United States will have to admit more than 1,500 per month in the last quarter, if it intends to meet the regional ceiling.

For several months running, the Joint Voluntary Agency (JVA) in Pakistan, the International Catholic Migration Commission (ICMC), which is responsible for preparing many of the refugee applications for INS interviews for this region, warned of an impending backlog of Afghan refugees approved and ready for U.S. resettlement. State Department allocations for admissions numbers were well below what the JVA said it had planned for. At the end of March, the JVA in Pakistan reported that "unless additional numbers are allocated, a backlog of travel-ready Afghan applicants will result and INS adjudications of Afghan applicants will be sharply curtailed for the remainder of the fiscal year."

The JVA said that both the Ambassador and Refugee Counselor had made separate requests to the State Department for additional numbers, but that the prospect of obtaining additional Afghan admission spaces "does not appear promising."

At the end of April, the JVA in Pakistan reported that they had a total of 1,039 INS-approved Afghan applicants, but that the State Department had only allocated 256 Afghan admissions places for the third quarter of the year. "Unless there is a substantial improvement in the allocation of Afghan admission numbers for the third and fourth quarters, the Refugee Counselor has instructed the JVA to sharply curtail the presentation of Afghan applicants to INS for the remainder of the fiscal year," the JVA reported.

An informed private agency source said that Afghan applicants are currently waiting for more than a year for their JVA prescreening interviews. According to this source, the intake of Afghan refugee applicants in Pakistan has been slowed down in order to avoid a backlog of refugees approved for admission.

Backlogs of INS-approved Iranian refugees in Europe are also noteworthy. Some 2,450 Iranians are awaiting processing in Frankfurt, of whom more than 80 percent are estimated to be Armenians. Of this number, 2,145 have already been approved by the INS, and are awaiting departure.

In Vienna, 1,532 Iranians are in the pipeline, the overwhelming majority of whom are Jewish. Of this number, 1,046 have been INS approved. Another 372 Iranians--mostly Jewish--are in the pipeline in Athens.

The total of Iranians currently in the processing pipeline worldwide is 5,745, of whom 4,247 have been approved by the INS, and are waiting for State Department authorization to move.

"No amount of persecution is acceptable," said Eugene Sander of Rav Tov, "but there are degrees of persecution, and these

Iranians are really being persecuted because of their beliefs."

"While our embassies overseas have given the full approval for the refugees to immigrate," said Rabbi Uri Mayerfield, director of Rav Tov in Los Angeles, "the U.S. State Department is not sending enough refugee visas for Iranian Jews."

Outside Europe, the problem for Iranians has not been as acute, although the numbers processed out of Pakistan are smaller as well. Sources close to Pakistan processing say that backlogs of approved Iranians are not developing there and that they are "moving at a pretty good pace."

Although most of the Iranians processed out of Rome and Vienna are Jews and most out of Frankfurt are Armenians, those processed out of Pakistan are mostly Baha'is, according to voluntary agency sources. In fact, in calendar years 1987 and 1988, through the end of May, the ethnic/religious breakdown of Iranian refugees processed through Pakistan was:

502	Baha'i
134	Armenian Christian
9	Zoroastrian
22	Other (principally Muslim)

Unlike most other groups, the numbers of Iranians processed in the first quarter were relatively high (1,589), but then dropped almost in half to 885 in the second quarter, followed by another precipitous drop in the third quarter with only 325 numbers allocated.

A source at the State Department said that processing large numbers of Afghan and Iranian refugees out of the Near East/South Asia region at the end of the year will not present a major problem since they can move directly, as opposed to the more lengthy processing pipeline for refugees out of Southeast Asia.

Another knowledgeable source said, however, that it would be hard to imagine how the Intergovernmental Committee on Migration (ICM), which arranges refugee transportation, would be able to find enough seats on planes to accommodate the anticipated flow.

Soviet Armenian Influx Continuing Projections from the State Department indicate that the new regional ceiling for the USSR/Eastern Europe of 30,000 should include an annual total of about 8,000 Soviet Jews and about 10,000 East Europeans, and 11-12,000 Soviet Armenians. As of mid-year, 5,188 Armenians had been admitted. This would mean that upwards of 1,000 Armenians per month would need to be admitted during the second half of the year in order to meet this goal. (See related Recent Development for an assessment of some of the factors that may affect Armenian admissions to the United States.)

Sporadic Admissions Have Impact on Resettlement Based on experiences of end-of-the-year crunches in previous years and the especially low rate of refugee processing earlier this year, resettlement workers are looking ahead grimly to the end of FY 88.

"It's going to be just horrid," said Gerald Brown, director of refugee services for the American Council for Nationalities Service (ACNS). He said that the last four days of September would be particularly bad.

"Bringing all these folks at once compounds the problems," he said. "On paper we get the basic services done, but we don't have time to spend to give resettlement the quality it should have."

Wright of MRS/USCC said that the massive push in the last days of September is a consequence of language that needs to be corrected in the Refugee Act. "Before the Refugee Act, we didn't have this problem," he said. "Refugees were moved with conditional entry documents that allowed them to enter after the end of the fiscal year, so there wasn't so much bunching up."

"Making everyone enter before October 1 doesn't make for the world's best resettlement," he said.

Certain local communities are expected to be especially hard hit with new arrivals at the end of the year. Refugee Reports talked to local resettlement figures in Minnesota and Fresno County, California, where large numbers of Hmong refugees from Laos are expected during the last quarter of FY 88.

Ernest Velasquez, the Fresno County refugee coordinator and assistant director for Fresno County Department of Social Services, said, "It strains our system. Months go by with nothing happening, then a big group hits."

Velasquez said the end of the year flow creates particular difficulties in job placement, housing, and education. Funding for the school system, for example, has a built in lag time of six-to-nine months based on computing average daily attendance. When a large group of new students in need of special services such as ESL and bilingual instruction enters the school system in October, it throws off planning for the entire year.

A local resettlement worker in Fresno told Refugee Reports that about 500 Hmong children arrived at the beginning of the last school year, "enough for a whole school."

Rev. Joan Hill Dehzad, sponsoring consultant for Refugee and Immigration Services, Lutheran Social Services of Minnesota, said that receiving more than half of their caseload in the summer months creates particular problems for the Lutheran network of church sponsors. "It is very difficult for the churches to receive them during the summer," she said.

Resettlement workers throughout the country worry that bringing large numbers of people in at one time creates a negative public reaction. "The media love to hear about these large numbers," said Velasquez. "Then the local folks on the street pick it up and it creates a problem for the refugees."

Brown warned that the program is "catching flak from county social service people who used to be supportive of refugee resettlement" because of strains created by the end of the year crunch.

"It is inconceivable with all the planners in the State Department that this happens every year," said Hill Dehzad. "And every year it creates chaos."

The editorial office of Refugee Reports and the U.S. Committee for Refugees is moving to:

1025 Vermont Avenue, NW
Suite 920
Washington, DC 20005
Tel: (202) 347-3507
Fax: (202) 347-3418

Printing and distribution of Refugee Reports will still be performed in Nashville, Tennessee.

Recent Developments

HONG KONG BEGINS SCREENING VIETNAMESE REFUGEES AS INTERNATIONAL SEARCH FOR SOLUTIONS INTENSIFIES

Amidst a flurry of international meetings, discussions, and debate on the deepening asylum crisis for Vietnamese boat refugees in Southeast Asia, the Hong Kong government announced on June 15 that newly arriving Vietnamese would have to prove their refugee status to immigration officials or face detention as illegal aliens until they could be returned to Vietnam.

"We in Hong Kong are faced with an impossible situation," said Rita Fan, a member of the British colony's Legislative Council, in a speech at an international conference held in Washington, D.C. in early June. "Our existing policy of conferring refugee status on all Vietnamese boat people means in effect an open-ended commitment, and indeed an invitation, to all Vietnamese who might be considering leaving Vietnam by boat. We cannot allow the open-door policy to continue."

The conference, which drew more than 300 participants from 33 states and 14 countries, was organized by the Indochina Resource Action Center (IRAC), an advocacy organization working on behalf of the Cambodian, Laotian, and Vietnamese communities in the United States. "We wanted the input from Indochinese-Americans, who are former refugees, to define relevant courses of action in response to the problems facing first-asylum countries," said Le Xuan Khoa, president of IRAC.

An upsurge in Vietnamese boat arrivals in Southeast Asia, coupled with diminishing opportunities for resettlement in the West, has prompted the countries of asylum to initiate restrictive new policies to stem the continued influx.

In January, Thailand began to push back Vietnamese boats along the eastern and southern coastlines. A report from the UN High Commissioner for Refugees (UNHCR) stated that as many as 170 people may have died as a result of the Thai interdiction policy. On April 20, Thailand signed a memorandum of understanding with UNHCR agreeing that new arrivals would not be pushed back, but instead would be transferred to Site 2, a refugee camp on the Thai-Cambodian border, where they would be denied access to resettlement. Sources report, however, that Thai marine police in the south continue to redirect at least some Vietnamese boats toward Malaysia.

Indonesia has also been redirecting boats toward Malaysia for at least one year, according to refugee program sources, with the first known death occurring on April 24, when Indonesian soldiers killed one Vietnamese and wounded another in an effort to drive a boatload of 125 asylum seekers back to sea. The boat landed at the Malaysian refugee camp of Pulau Bidong four days later, but Malaysian officials have announced that the camp will be closed by April of next year.

"The Malaysians have really backed themselves into a corner" with this announcement, a relief official told Refugee Reports. The other Malaysian camp, Sungei Besi, has already reached its peak capacity of 3,000, the official said, and "there is no way" that resettlement will empty Pulau Bidong of its 11,000 people within one year.

In May alone, 2,000 Vietnamese arrived in Malaysia, and the official said that pushbacks could begin in July if arrival rates stayed up. "The Vietnamese clearly have a mentality that 'now is the time to go,'" he said.

Hong Kong Screening is First for Vietnamese Vietnamese arrival rates are high throughout the region, but nowhere higher than in Hong Kong, according to Fan. More than 5,000 Vietnamese boat people reached Hong Kong in the first five months of 1988, eleven times the rate for the same period last year. More than 1,000 Vietnamese came in the first week of June, Fan said. The camp population stands at 14,000, the highest it has been since 1981, and if current arrival rates persist, Fan predicted that the number will exceed 20,000 within three months.

Hong Kong's camps are desperately overcrowded, local relief workers say. On May 1, a 20-year-old woman was stabbed to death by her husband in a hut shared by more than 200 people in Chi Ma Wan camp. One refugee blamed the murder on the overcrowded conditions. "It's not the man, it's the camp," the refugee told a volunteer worker.

"A way has to be found," said Fan, "that will deter Vietnamese who are not refugees, as defined by the UNHCR definition, from coming to Hong Kong, but which will also allow the genuine refugees to be resettled." The way, the Hong Kong government hopes, is screening. Effective as of midnight on June 16, arriving refugees will be given the choice of turning back or accepting detention in Hei Ling Chau camp, perched on a rocky outer island. Eventually, they will be screened by immigration officials. Those who can establish a "well-founded fear of persecution" will be moved in with the current refugee population, where they will be able to apply for resettlement elsewhere.

Those who are screened out, and this may be up to 90 percent of the new arrivals, Hong Kong officials told The New York Times, will stay in detention until Vietnam agrees to take them back. Vietnamese officials previously have rejected the idea of taking back any of the boat people, although Deputy Foreign Minister Ha Van Lau said that "the proposal is being considered," following a UNHCR-sponsored meeting in Geneva in early June.

On June 16, Hong Kong authorities detained a wooden fishing boat carrying 33 Vietnamese, the first group to encounter the new restrictions. The message to the Vietnamese is "Do not come here," said Geoffrey Barnes, Hong Kong Secretary for Security.

On behalf of the conference's Indochinese-American participants, IRAC sent a cable to British Prime Minister Margaret Thatcher, saying that, "We are deeply distressed at the change of policy," and reminded her of Britain's commitment at a UN-sponsored international conference in 1979 "to grant all arriving Vietnamese first-asylum pending resettlement." Any screening process that is established, the cable stated, "must be set up under the auspices of UNHCR," and "assurances of humanitarian treatment upon repatriation must be obtained from the Vietnamese government."

Strengthened protection for asylum seekers, multi-year commitments to resettlement, and continued international burden-sharing were also needed to prevent the asylum crisis in Southeast Asia from deteriorating further, according to recommendations made at the IRAC conference.

First-Asylum Nations also Meet, Call for "Immediate Action" One week before the IRAC conference, representatives from seven Southeast Asian Countries--Malaysia, Thailand, Brunei, Indonesia, Hong Kong, the Philippines, and Singapore--met in Cha-Am, Thailand to discuss the continuing refugee crisis from their perspective as nations of first-asylum. In a brief summary of the discussions published after the seminar, which was sponsored by the Ford Foundation, the delegates stated that "immediate action is required by the international community to respond with a greater sense of urgency to what amounts to the gravest Indochinese refugee crisis since 1979."

The delegates agreed that "discouraging future outflows of nonrefugees is of fundamental importance" and called for establishment of region-wide screening procedures along with a central UNHCR holding center somewhere in the region to house the screened-out cases and others awaiting a long-term solution to their case. "A commitment should be sought from Vietnam on a moratorium on organized illegal departure," the summary said, "as well as to abide by the obligation to accept the return of its own citizens." Screening and voluntary repatriation should be accompanied by an expansion of the Orderly Departure Program (ODP), the delegates suggested.

A continuing commitment to resettlement on the part of the international community is a "crucial element" in maintaining first-asylum for Vietnamese boat people in Southeast Asia, the Cha-Am summary also noted, and urged the international community to provide "more predictable and multi-year resettlement guarantees." The number of countries offering resettlement should be expanded, the delegates agreed, with priority given to "long-stayers," usually defined as refugees who have spent two or more years in camps.

"Resettlement by itself cannot resolve this problem," the summary warned, "and may, in some circumstances, compound the problem by encouraging nonrefugees to leave.... Existing arrangements that hold out the prospect of automatic resettlement for all who leave Vietnam is a major pull factor."

U.S. Seeks "Comprehensive Approach" to the Crisis, Says Top Refugee Official The United States "must examine new policy combinations and directions to prevent more tragedies from occurring and to sustain first asylum throughout the region," said Ambassador Jonathan Moore, coordinator for refugee affairs, in a speech on the first day of the IRAC conference. The basic course that the United States is pursuing, Moore said, is "to discourage clandestine departures from Vietnam and to maintain resettlement" in order to keep camp populations at "tolerable levels." New policies of "humane deterrence" that needed to be considered, he said, were the establishment of screening programs, the temporary suspension of resettlement for new arrivals, and "the assurance that persons granted first asylum would enjoy no greater resettlement advantage than those seeking resettlement through the established orderly departure program."

Under current U.S. guidelines for ODP, which has brought more than 65,000 Vietnamese refugees and immigrants directly to the United States since 1980, only those in the first three processing priorities are eligible for resettlement, along with immigrants, and those of special interest to the United States, such as Amerasians and former reeducation camp prisoners. Resettlement priorities P-1 through P-3 include people with immediate family in the United States and former employees of the U.S. government.

Any screening programs that are established, Moore said, "should come under appropriate international safeguards, including UNHCR monitoring." Those who are screened out should be placed in "decent long-term holding facilities under UNHCR supervision," he said.

Moore acknowledged that resettlement "in and of itself can encourage larger refugee flows," but insisted that it still is an "essential component" of U.S. refugee policy in Southeast Asia. He said that the United States would admit 28,000 Indochinese from first-asylum countries in FY 88, out of a regional ceiling of 29,500. He blamed the shortfall partly on the fact that Thailand has been "reluctant...because of their concern about a magnet effect" to allow the United States to interview P-6 cases, those without U.S. ties, for resettlement. The administration has proposed to reduce the

SEMINAR ON FIRST ASYLUM FOR VIETNAMESE BOAT PEOPLE
SPONSORED BY THE FORD FOUNDATION
Cha-Am, Thailand--May 25-28, 1988
Summary of Discussions

1. The seminar took note of the critical situation caused by the increasing exodus of boat people from Vietnam. If this exodus continues unabated, it will create unacceptable political, security, economic and social problems for the countries of first refuge. Immediate action is required by the international community to respond with a greater sense of urgency to what amounts to the gravest Indochinese refugee crisis since 1979.

2. Greater emphasis should be placed on the role of Vietnam as the root cause of the problem and on how to solve it at its source. Vietnam has an obligation both to its own people and to the international community to resolve the problem.

3. In order to resolve the Vietnamese boat people problem satisfactorily, there is a need for greater efforts and closer cooperative endeavors among all concerned: the country of origin, the countries of first refuge, the resettlement countries, the major donor countries, the international organizations, and the nongovernmental organizations concerned with the problem.

4. Discouraging future outflows of nonrefugees is of fundamental importance. Pressure must be exerted by all concerned on Vietnam to recognize the humanitarian consequences of the outflow, the negative image created for Vietnam, and the adverse impact on relations with other countries in the region.

5. There has been a shift in the motivations of persons who are now leaving Vietnam. Although some still flee for political reasons, economic motives are playing an increasingly larger role. Family reunification is also a factor. The dramatic increase in the number of arrivals has created critical conditions in a number of regional countries.

6. The continuing commitment of the international community on resettlement is the crucial element in the maintenance of first asylum for Vietnamese boat people. But third-country resettlement by itself cannot resolve this problem, and may, in some circumstances, compound the problem by encouraging nonrefugees to leave their country of origin. Existing arrangements that hold out the prospect of automatic resettlement for all who leave Vietnam are a major pull factor.

Elements in a new comprehensive program of action need to be developed, drawing upon the following ideas:

7. Countries of first refuge need more predictable and multi-year resettlement guarantees. The range of third-countries of resettlement should be expanded. UNHCR should explore the possibility of fixed long-term annual quotas to be assigned to specific resettlement countries.

8. A concrete, predictable and multi-year program for resettlement of the residual Vietnamese refugee population in the countries of first refuge should be established as soon as possible. Priority should be accorded to the processing of long-stayer refugee cases. Provision should also be made for accelerated resettlement to cope with any unexpected upsurge in new arrivals.

9. Mechanisms should be developed to determine the claims of new arrivals to refugee status on a regional basis. Those determined not to be bonafide refugees should be repatriated to Vietnam in accordance with international law and established UNHCR procedures. UNHCR is urged to negotiate an arrangement with Vietnam to take back nonrefugees. Those who are determined to be refugees should be promptly resettled in a third country.

10. A central regional UNHCR holding center should be established once a site is agreed upon.

11. The Orderly Departure Program for Vietnamese should be expanded and be made to encompass migrants, in addition to the present family reunion and special humanitarian concern cases. This should become the primary mode of departure and eventually the sole avenue for resettlement.

12. A commitment should be sought from Vietnam on a moratorium on organized illegal departures, as well as to abide by the obligation to accept the return of its own citizens. Concerted demarches should be made by all governments concerned on Vietnam in this regard. Concerted pressure should also be applied on Vietnam to cooperate with the international community in the search for durable solutions.

13. In view of the dismal record of Vietnam, the UNHCR and the international community should exert greater effort to actively negotiate voluntary repatriation arrangements with Vietnam. In this regard, UNHCR should quickly identify potential candidates for voluntary repatriation.

14. Another international conference on Indochinese refugees under UN auspices is desirable in light of the changed circumstances since the 1979 Geneva Conference, and consequently the need for new approaches.

FY 89 Indochinese resettlement ceiling for first asylum countries to 23,000.

Sen. Hatfield Supports Multi-Year Resettlement Commitment, Dialogue with Vietnam In a speech at the IRAC conference, Sen. Mark Hatfield (R-Ore.) reminded participants that last fall, the Senate had passed by a two-thirds majority a resolution calling for a three-year commitment to a Southeast Asian resettlement ceiling of 28,000. He promised to work to establish and maintain such a commitment.

Hatfield also said it was time for the United States to "accelerate dialogue with Vietnam" and expressed support for a resolution pending before the Senate to establish "technical offices" to further discussions on a variety of humanitarian issues, including prisoners of war and missing-in-action (POW/MIAs) and resettlement of former political prisoners.

Hatfield has also introduced a Senate resolution calling on the President to "address the food shortages in Vietnam by exercising powers statutorily authorized for such disaster situations" in the Foreign Assistance Act of 1961. Up to 7 million Vietnamese may be facing severe food shortages, as UN officials say that a 1.5 million ton food deficit can be expected this year, due to droughts, typhoons, and insects.

"Our U.S. foreign policy is isolating Vietnam with marginal results," Hatfield said. He acknowledged that pressure must be maintained to force Vietnam to withdraw its more than 100,000 troops from Cambodia, and as part of that process, the United States should lead a "diplomatic, political, and economic campaign to dismantle the Khmer Rouge," whose 50,000 Chinese-backed forces reportedly are gathering strength for a return to power in Cambodia as soon as the Vietnamese leave.

Both the ongoing refugee crisis and the Cambodia question are likely to be high priority topics when the foreign ministers of the six-nation Association of Southeast Asian Nations (ASEAN) meet with Secretary of State George P. Shultz in Bangkok in early July. Two developments have raised hopes that a political settlement on Cambodia is possible within one or two years. First, Vietnam announced last month that it will withdraw 50,000 of its 120,000 troops from Cambodia by the end of 1987. Second, according to a report in the Washington Post, China has indicated that it is willing to offer asylum to Khmer Rouge leader Pol Pot and his top aides, so as to remove them from any active role in Cambodia's political future. During their rule from 1975 to 1978, the Khmer Rouge were responsible for the deaths of at least one million Cambodians.

CONTROVERSY ERUPTS OVER ARMENIAN REFUGEE ADMISSIONS

Armenians from the Soviet Union have been improperly admitted to the United States as refugees, according to a front-page story in the Sunday New York Times on May 29, and an editorial in the same paper's June 6 edition.

Based on a leaked confidential summary of a meeting between State and Justice Department officials, the Times story said that State Department lawyers have concluded that "the United States improperly accepted thousands of Armenians as refugees without finding that they have been persecuted in the Soviet Union."

The leaked document noted that Ralph Thomas, a deputy assistant commissioner of the Immigration and Naturalization Service (INS), "conceded that INS is not doing individual refugee determinations for the Armenians and that the Armenians do not generally share the characteristics of other groups admitted as refugees."

The document went on to say that Jeff Trecartin, an INS examiner, "verified that in hundreds of interviews with Soviet Armenians in Rome he had not encountered a single individual claiming to have left the Soviet Union on account of persecution or fear of persecution."

The Refugee Act of 1980 defines refugees eligible for admission to the United States as persons with "a well-founded fear of persecution."

INS and State Department Close-Lipped

Sources at both the State Department and INS were reluctant to comment directly on the New York Times story. Government sources did say, however, that the issue has been the subject of "intense debate" internally.

Sources at both State and INS said that it was inaccurate to say that the INS was not making case-by-case determinations of refugee status. A State Department source defended INS interviewing of Armenians by saying, "If they didn't do case-by-case determinations, INS officers would be going to jail."

An INS source explained that the United States puts itself into a difficult position when it takes people directly out of their home countries and then conducts refugee eligibility interviews in third countries "of convenience." The source said that U.S. agreements with those third countries assume that we will move them out, so the pressure is put on the INS examiner to find the person eligible.

"It is unfortunate that Armenians were singled out," said the INS source. He said the problem was "generic" and was similar to problems with processing Vietnamese through the Orderly Departure Program out of Bangkok or with the processing of Polish political prisoners out of West Germany several years ago.

Government sources at both INS and State also spoke of the lack of mechanisms for bringing in masses of people of humanitarian concern to the United States who might not meet the persecution standard of the Refugee Act.

"If Glasnost holds up," said one government source, "we will need to open a regular immigration channel, but we don't have that now."

Criticisms Follow Administration Request for Additional Numbers of Armenian Refugees

On April 6, Ambassador Jonathan Moore, the U.S. Coordinator for Refugees, reported to Congress the President's proposal to raise the FY 88 refugee admissions ceiling based on "an unforeseen refugee emergency" requiring an additional 15,000 places for refugees from the Soviet Union and Eastern Europe.

The Coordinator's report said that 12,000 of the additional numbers would be used for Soviet Armenians, 2,000 for Soviet Jews, and 1,000 for Eastern Europeans.

It reported that "almost all Armenians who have been permitted to emigrate are from families who fled from the Middle East after World War II, or from Iran after the fall of the Shah." At the same time, the report noted that about 90 percent of Armenian refugees resettled in the United States are joining family members in southern California.

It said that Soviet Armenians are screened in Moscow by U.S. consular officers before being moved to Rome, where they are interviewed by the INS, and, "if qualified, approved for admission to the United States as refugees."

The Administration report said that Soviet exit permits are issued on an unpredictable basis and are only valid for six months, and concluded that "our failure to take these refugees promptly would preclude their departing from the Soviet Union."

Critics Charge Violation of Refugee Act

The New York Times editorial focused on whether Armenians meet the "well-founded fear of persecution" definition of the Refugee Act. It said, "It is only fair to require that each Armenian applicant demonstrate a fear of persecution. Other potential refugees, like those from El Salvador or Indochina, are carefully scrutinized, often after waiting months to be processed."

While noting that "many Armenians now leaving the Soviet Union may perfectly well qualify for refugee status," the editorial went on to say, "those who merely seek a better standard of living should be made to qualify under existing immigration standards."

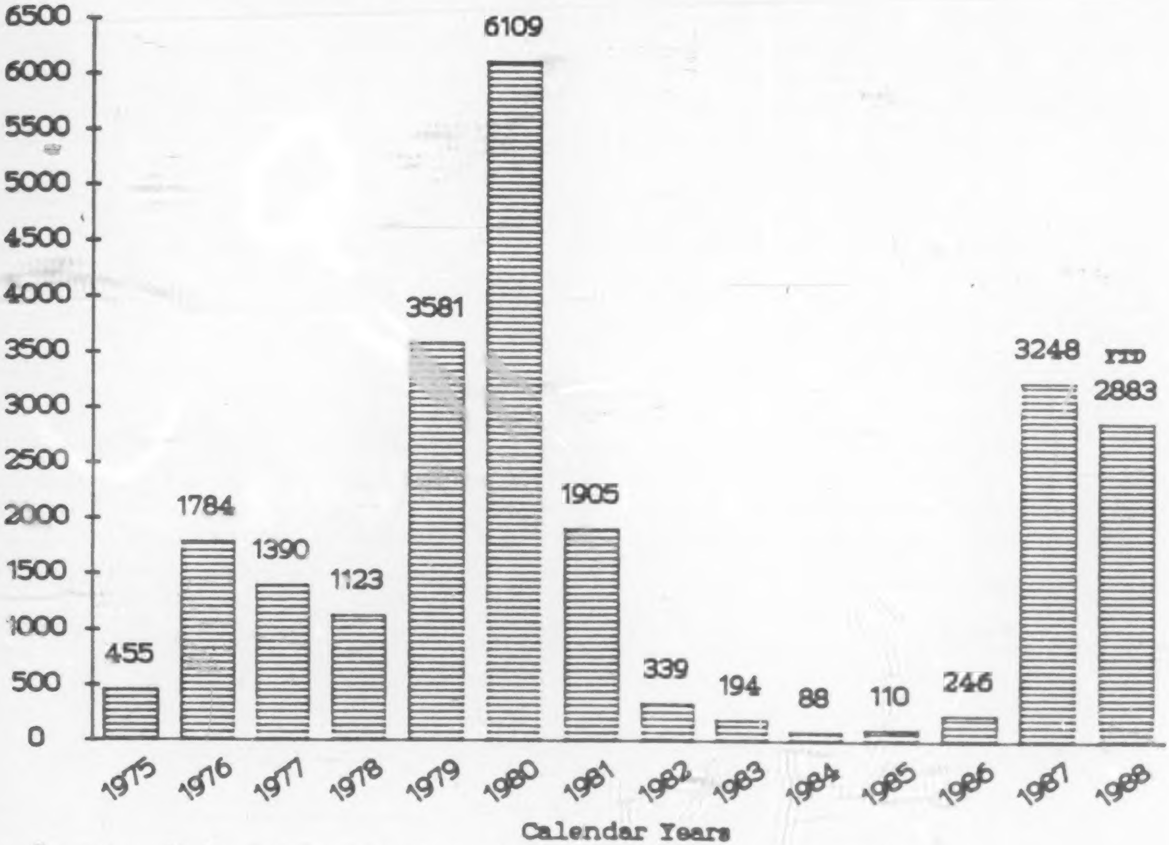
Robert DeVecchi, executive director of the International Rescue Committee, told Refugee Reports that an understanding of the Armenian situation has to take into account a larger historical, sociological, and political context, such as promises made--and broken--by Stalin to survivors of the Turkish genocide.

"If the U.S. government determines them to be refugees," said DeVecchi, "that's fine with me." He added, "My personal hope is that the United States would be as understanding of the plight of refugees elsewhere as they are of Armenians."

Writing in the Los Angeles Times, Doris Meissner, senior associate of the Carnegie Endowment for International Peace, explained, "Before 1980 our laws defined a refugee as someone leaving a communist country or the Middle East. Thus Soviet citizens were automatically eligible."

Now, however, with ideological and geo-

Armenian Immigration to the U.S.
From the Soviet Union



Source: State Department/Bureau for Refugee Programs

graphical determinations struck from the legal definition, each individual must demonstrate a well-founded fear. "There is scant evidence," Meissner wrote, "that these Armenians, as a group or individually, are in a more beleaguered position than are other Soviet citizens."

Meissner suggested that admitting Armenian immigrants under the refugee program "cut[s] into a shrinking bank account that has put the nation's refugee program into a state of severe fiscal crisis."

Meissner suggested as a solution to the problem that Congress establish a category of "humanitarian immigrants" whose admission would be contingent upon a presidential finding that immigration for a designated group is in the national interest for humanitarian reasons.

Armenian Community Troubled Ambivalence concerning the issue appears to be running throughout the Armenian community.

Refugee Reports interviewed Armenian community leaders several months ago (see Refugee Reports, Vol. IX, No. 3) and found many to echo the sentiments of Harut Sassounian, editor of the California Courier, an English-language weekly for the Armenian community, that "when Armenians on any part of our historical homeland leave Armenia, they go against the struggle, against our goals." At the same time, Sassounian, and the other Armenian leaders consistently said that they bore no animosity towards the new arrivals and would do what they could to help them make the adjustment to American life.

The New York Times revelations have touched off concern within the Armenian community in the United States that they could become identified with the failure of a blanket admissions policy for which they had never advocated. The Armenian Assembly of America termed as "necessary" the current Congressional and Administration reviews of the present application of the Refugee Act.

"We support the designation 'refugee' only for those individuals who can satisfy the requirement to demonstrate a 'well-founded fear of persecution,'" said Ross Vartian, executive director of the Armenian Assembly. "The U.S. government's assessment of Soviet Armenians' status as refugees as reported in the New York Times speaks for itself."

Vartian then cited the thousands of Armenian refugees from the Middle East in first asylum and awaiting processing in Western Europe and the Near East, who have been overlooked during the recent focus on Soviet refugee policy.

Congress Will Look More Closely at Armenian Refugee Processing The question of Armenian admissions as refugees promises to be a topic of discussion at the next round of consultations between Congress and the Administration on refugee admissions. Sen. Alan K. Simpson, ranking minority member of the Senate Subcommittee on Immigration and Refugee Affairs, told the New York Times, "We ought to stop this gimmickry of the word 'refugee'" and that "we must distinguish between the right to leave the Soviet Union and the right to enter the United States."

Sen. Edward M. Kennedy, chairman of the refugee subcommittee, in responding to the President's request for 15,000 additional refugee admissions numbers, said, "There are some very important new foreign policy issues involved in this request for 15,000 additional refugee numbers, which are largely earmarked for an entirely new refugee group in our program--Armenians from the Soviet Union. The development of this new flow--its causes and dimensions--must be given a thorough airing if our refugee program is to receive the support it deserves, and if they are bona fide refugees."

CANADIAN REFUGEE DETERMINATION BOARD SUBJECTED TO PRESSURE FROM FOREIGN MINISTRY

Evidence has come to light recently that the Canadian Foreign Ministry intruded into decisions taken by that country's refugee determination board, suggesting that the independence and integrity of the asylum process has been compromised by foreign policy considerations.

Refugee advocates have long contended that the government bodies that determine a person's refugee status must operate independently of the foreign policy or immigration arms of government. While foreign policy biases are often alleged, actual interventions to reverse a determination of refugee status are rarely documented or proven.

However, on May 16, the Toronto Globe and Mail revealed that External Affairs Minister Joe Clark had intervened to reverse the unanimous determination of a panel of Canada's Refugee Status Advisory Committee that a Sikh, Santokh Singh Bagga, was a refugee according to the UN definition.

In two letters marked secret, but leaked to the Globe and Mail, Clark told the Immigration Minister that the refugee board's determination would harm Canadian relations with India. He said he found it "most disconcerting to learn that a number of Indian Sikhs were recently recognized as refugees" and said that the "Indian authorities have made strong and repeated representations for his [Santokh Singh's] return to India."

The Foreign Minister persuaded the Immigration Department to appoint its own special review committee, which reversed the refugee committee's decision, thereby denying asylum to Santokh Singh. On May 11, 1987, the executive director of immigration, James Bissett, sent a memo to Joe Stern, the chairman of the Refugee Status Advisory Committee, saying, "There is a recommendation that he [Santokh Singh] should be removed to India even in the event he satisfies the [United Nations] convention definition [of refugee] as found in the Immigration Act, 1976." Stern wrote back to say, "It is improper for an immigration official to attempt to influence the functioning of an administrative tribunal which is responsible for providing independent advice according to statutory criteria."

Update

° During May, more than 2,000 Vietnamese boat refugees were moved from beach shelters in Thailand's eastern provinces of Trat and Chantaburi to a special facility built for them next to Site 2, a Cambodian camp housing 160,000 "displaced persons" on the Thai-Cambodian border. The number of Vietnamese boat people in the Site 2 annex is now over 3,100, a relief worker in the camp told Refugee Reports. Thai authorities have indicated that Vietnamese who arrived by boat in 1988 will not be allowed to seek resettlement overseas, at least temporarily.

- On May 1, the UN Border Relief Organization (UNBRO) cut off food aid to Huay Chan, a Khmer Rouge camp of about 9,000 people, according to the Bangkok Post. Earlier in the year, UNBRO officials had threatened to cut off aid to four Khmer Rouge border camps known to harbor guerrilla fighters unless they were given better access to monitor food distribution and other services. The communist leadership in Natrao, Borai, and Ta Luan reportedly complied, but Huay Chan authorities resisted.

"Huay Chan was not the only Khmer Rouge camp where [access] was a problem," said one source, "but it was the most flagrant in denying access. Their basic attitude was: 'You leave supplies at the gate of the camp and we'll distribute them.'"

The French-based relief organization, Operation Handicap Internationale, the only other relief agency working in Huay Chan, also withdrew.

- Austria has announced new restrictive policies with respect to East Europeans seeking refugee status, according to a May 6 Washington Post report. Interior Minister Karl Blecha announced that Poles and Hungarians will be subject to a screening process to determine whether they qualify as UN Convention-defined refugees. Those not granted refugee status will be asked to return home. Blecha did not specify how those refusing to leave would be returned, but he did say that rejected applicants would be denied food and housing.

Blecha told a news conference that after arriving in Vienna bus loads of Polish tourists proceed to the Traiskirchen refugee camp where they apply for asylum. The Post reported 13,500 refugees at present in Austrian refugee camps awaiting third-country resettlement.

So far this year, more than 1,000 Poles have applied for asylum in Austria, in contrast to 97 Polish asylum applicants in the first three months of 1987, according to the Post. More than 2,200 Hungarians have applied for asylum this year, Blecha told the press conference.

- On June 19, the Israeli cabinet took steps to ensure that Soviet Jews who use Israeli visas to exit the USSR will not "drop out" once they reach Vienna and opt to immigrate to the United States instead. Foreign Minister Shimon Peres proposed that Soviet Jews transit via Romania to avoid the Vienna stopover and that Israeli visas be issued in Bucharest rather than Moscow.

In May, only 110 of the 1,169 Jews who left the Soviet Union arrived in Israel--about 10 percent. Since the beginning of 1988, some 4,695 Jews have left the Soviet Union, of whom 862 have arrived in Israel, a drop-out rate of 81.64 percent, according to the June 1 Yedi'ot Aharonot in Tel Aviv.

- Sadruddin Aga Khan has been named as coordinator of UN economic and humanitarian programs to help implement the Afghanistan peace settlement. Although highly regarded by refugee agencies for his 12 years of experience as UN High Commissioner for Refugees, his selection has sparked intense criticism from some representatives of the Afghan refugees. According to refugee leaders in Pakistan, Sadruddin is the uncle of the Aga Khan, who heads the Ismali Muslim sect. The 200,000 Ismalis in northern Afghanistan have supported the Kabul regime, and their spiritual leader, Sayed Qayan, heads a local militia to resist the Afghan guerrillas, according to a June 9 report in the Far Eastern Economic Review.

The prince has issued a UN report on the refugee situation in Afghanistan and issued a call for $1.16 billion in international assistance for an 18-month, first phase emergency relief and rehabilitation program. The report calls for the implementation of the first phase "as rapidly as conditions permit." It will then be followed by a three-year plan at an estimated cost of $839.6 million.

The June 20 Washington Post also reported criticism from relief workers in Pakistan who charged that the call for $1.16 billion in international assistance was premature and ill-advised considering the ongoing warfare in Afghanistan.

"How can they talk of $1.16 billion when the U.S. is having trouble disbursing $45 million in humanitarian aid inside the country?" one experienced international relief worker was quoted as asking.

° Some 20,000 Iraqi Kurdish refugees arrived in western Iran in March, and an additional 30,000 new arrivals were anticipated by the Iranian authorities, according to the UNHCR office in Tehran, as reported in Refugees magazine.

° Cuban President Fidel Castro has agreed to free most of the political prisoners in Cuba, according to Cardinal John J. O'Connor, following talks with Cuban officials. The New York Times reported, June 5, that 385 of the remaining 429 political prisoners would be released.

° More than 120 boat people from Nicaragua landed in Costa Rica on May 15 and requested political asylum, according to the May 17 Washington Post. It was the largest group of Nicaraguans seeking asylum in Costa Rica this year. The group reportedly commandeered a 100-foot Nicaraguan government boat.

° Amnesty International U.S.A. passed a resolution at its annual meeting in Atlanta on June 19 saying that the U.S. government appears to have a systematic bias in the setting of bonds, access to legal counsel, and applications for political asylum based on race, class, ethnic or national origin, or political belief of the asylum seeker. The resolution called on the Amnesty International board of directors to upgrade work with impartial refugee organizations and "to make representations to the U.S. government to eliminate these abuses."

° On April 25, the House of Representatives passed the Genocide Convention Implementation Act of 1987, which would complete the ratification of the UN Genocide Convention by making genocide a federal crime in the United States. The offense would be punishable "by imprisonment for not more than 20 years, a fine of not more than $1,000,000 or both."

The Senate version awaits a floor vote.

Resources

USCR VIDEOTAPE ON THAI PUSHBACKS AVAILABLE

The U.S. Committee for Refugees (USCR) has produced a 15-minute video on the Vietnamese boat pushbacks in Thailand and the ensuing asylum crisis in Southeast Asia. Footage was provided by a source in Thailand who asked to remain anonymous. Copies of the video are available for $30.00 from USCR, 1025 Vermont Ave., NW, Suite 920, Washington, DC 20005. (202) 347-3507.

AMNESTY INTERNATIONAL REPORTS ON VIOLENCE AGAINST MINORITIES IN BURMA

Ethnic minority groups fleeing Burma into Thailand have given detailed accounts of widespread extrajudicial executions, torture, and harsh treatment at the hands of Burmese soldiers, according to a report released in May by Amnesty International. Based on interviews with 70 Karen, Mon, and Kachin refugees, the report describes 60 cases of apparent unlawful killings, and 123 cases of torture or severe mistreatment.

In 1984, the Burmese government began a large-scale military campaign against ethnic insurgent forces, particularly the Karen National Liberation Army. As a result of the continued fighting and human rights abuse, more than 20,000 Karen have sought asylum in Thailand.

The report, Burma: Extrajudicial Execution and Torture of Members of Ethnic Minorities, is available from Amnesty International Publications, 322 8th Avenue, New York, NY 10001. The cost is $5.00.

Reader Exchange

° The International Committee of the Red Cross (ICRC) is collaborating with the Thai Red Cross Society to assist Vietnamese families trying to trace recently arrived relatives in Thailand. Inquiries should be addressed to Dr. Tanit Vajrabukka, Thai Red Cross Society, Tracing and Mailing Service Center, Bangkok, Thailand.

ASYLUM CASES FILED WITH DISTRICT DIRECTORS APPROVED AND DENIED, BY SELECTED NATIONALITIES FIRST HALF OF FY 88 (OCTOBER 1987 - MARCH 1988)

Country	Approval Rate for Cases Decided	Cases Granted	Cases Denied	Cases Currently Pending
*TOTAL	51.3%	2,349	2,224	95,341
China	85.7%	24	4	106
Ethiopia	77.7%	210	60	332
Iran	77.5%	415	120	1,009
Romania	76.9%	120	36	274
Vietnam	75.0%	3	1	9
Nicaragua	74.9%	1,172	392	19,889
Somalia	71.4%	30	12	64
Syria	65.0%	13	7	65
Uganda	61.5%	8	5	18
Bangladesh	50.0%	1	1	7
Pakistan	48.1%	13	14	67
Afghanistan	44.0%	22	28	99
Czechoslovakia	40.0%	4	6	47
Poland	39.1%	150	233	968
Lebanon	36.5%	23	40	190
Cuba	25.8%	8	23	56,219
Philippines	22.2%	4	14	80
Liberia	22.2%	2	7	27
Hungary	22.0%	10	34	120
India	8.3%	1	11	32
Honduras	5.8%	2	32	327
Yugoslavia	4.3%	1	22	125
El Salvador	3.2%	29	865	11,705
Guatemala	2.7%	3	105	2,457
Egypt	0%	0	5	40
Haiti	0%	0	2	345

*The totals include all nationalities, not just those selected here.
Note: This chart is based on data for asylum cases filed with INS district directors only. Many applications for asylum are filed with immigration judges, particularly in the context of deportation proceedings. The Office of the Chief Immigration Judge is developing a data system, but asylum statistics are not now available.

Source: These statistics are calculated based on data provided by the Immigration and Naturalization Service.

REFUGEE REPORTS is published monthly for $28.00 per year for one subscription, $20.00 each for two or more subscriptions to the same addressee, or $20.00 each for ten or more subscriptions requested at the same time, mailed to separate addresses; overseas postage, $24.00 additional; by ACNS, 95 Madison Avenue, Third Floor, New York, NY 10016. Second Class Postage paid at New York and additional mailing offices. POSTMASTER: send address changes to *Refugee Reports*, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204.

Editorial comments and inquiries should be sent to: *Refugee Reports*, 815 Fifteenth Street NW, Suite 610, Washington, DC 20005. All communications regarding subscriptions should be sent to: Refugee Reports Subscriptions, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204. (615) 377-3322.

Basic subscription rate for 12 issues per year: $28.00; Multiple-copy rate: $20.00; Single copies of back issues: $2.50
Editor: Virginia Hamilton; Staff Writers: Bill Frelick, Court Robinson
Distribution Manager: Carolyn Moore; Production Coordinator: Koula Papanicolas
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Refugee Reports

A News Service of the U.S. Committee for
Refugees, a Project of the American
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Refugee Reports

A News Service of the U.S. Committee for Refugees
1025 Vermont Avenue NW, Suite 920 Washington, DC 20005 (202) 347-3507

Volume IX, Number 7

July 15, 1988

CAMBODIA: PEACE AT LAST OR THE RETURN OF POL POT?

Amid intense diplomatic activity and growing optimism that a political settlement of the Cambodian conflict may finally be in sight, fears are mounting in the Cambodian refugee community that the Khmer Rouge are preparing to return to power in Cambodia, following a withdrawal of Vietnamese troops.

At least 2,000 Cambodian-Americans, several members of Congress, and Kitty Dukakis, wife of the Democratic presidential candidate, are pressing the Administration to take steps to ensure that the Khmer Rouge never regain control of the country.

A letter to President Reagan, signed by more than 2,000 survivors of the Cambodian killing fields, accused the Khmer Rouge of "planning to return to Cambodia under the cover of 'national reconciliation,' obtain de facto control of the countryside by terror and threat, lie low for several years, and again seize power."

Neither those directly involved in the Cambodian dispute, nor the international community at large, "have a realistic or workable plan to prevent Pol Pot's Khmer Rouge from again seizing power when the Vietnamese go home," the letter said.

"Cambodians in this country need to be more active to stop the killing in Cambodia," said Kassie Neou, a co-signer of the letter and director of the Association of Cambodian Survivors in Falls Church, Virginia. "We have a tradition and attitude of letting our leaders decide everything for us. Now people are starting to think for themselves."

After seizing power in 1975, the Khmer Rouge, led by Pol Pot, were responsible for the deaths of more than one million people by execution, starvation, overwork, and disease. They were driven into Thailand by invading Vietnamese forces in December 1978, and have been carrying on a war of resistance ever since, with diplomatic recognition from the United Nations and military aid from the People's Republic of China.

Vietnamese officials state that 13,000 out of an initial force of 140,000 troops have already been withdrawn this year, and on June 30, Vietnam officially began to withdraw another 50,000, a process that should be concluded by the end of the year. Vietnam has

IN THIS ISSUE:

Cambodian refugees are increasingly concerned at the possibility that the Khmer Rouge will reassert themselves as the Vietnamese withdraw from Cambodia. This month's issue looks at efforts being made to prevent a Khmer Rouge return to power........................1

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repeatedly pledged to pull out all of its forces in Cambodia by 1990.

Initial skepticism at these withdrawals has given way in some quarters to renewed optimism for a political settlement, along with fear that the Khmer Rouge may attempt to subvert any negotiated transition of power through violence and coercion.

Members of Congress Express Concern On June 29, Rep. Chet Atkins (D-Mass.) was joined by nine colleagues in the House and Senate in introducing a joint resolution "in support of the restoration of a free and independent Cambodia and the protection of the Cambodian people from a return to power by the genocidal Khmer Rouge."

"In the aftermath of World War II, Atkins said at a press conference, "the nations of the world, shocked by the horrors of Nazi Germany, said 'never again.'...But, we were wrong."

Now, Atkins warned, these same Khmer Rouge--"well-armed, ideologically driven, fomented by hatred and elated by torture, killing, and coercion--are poised and ready for a second takeover of Cambodia." U.S. defense analysts and other informed observers agree that the Khmer Rouge fields a guerrilla army of 30,000--40,000, and maintains extensive arms caches in the Cambodian interior that could sustain its military operations for up to two years without need for new supplies.

"This is a period of great promise and extraordinary peril for the Cambodian people," said Rep. Stephen Solarz (D-N.Y.) at a June 30 hearing. Solarz, a co-sponsor of the joint resolution (H.J. Res. 602, S. Res. 347), is chairman of the Subcommittee on Asian and Pacific Affairs in the Committee on Foreign Affairs. The return of the Khmer Rouge, he said, "is not a theoretical nightmare, but a frightening possibility."

"It is about time that U.S. government took a more active role in the search for a peaceful political solution in Cambodia," said Vora Kanthoul, associate executive di-

RESOLUTION SEEKS TO DISARM KHMER ROUGE

The joint resolution, which would not be legally binding, calls upon Vietnam to withdraw all of its forces from Cambodian soil, but also urges the United States and the international community to "use all means available to prevent a return to power of Pol Pot, the top echelon of the Khmer Rouge, and their armed forces." Some of the means cited by the resolution include:

- China and other nations who arm the Khmer Rouge should "cease the flow of war material and the accumulation of caches of arms that might ultimately be used to terrorize the Cambodian people and to threaten a legitimate government of Cambodia."

- Thailand and other nations should "deny safe haven to Khmer Rouge forces seeking the overthrow of a newly formed sovereign Cambodian government."

- The United States should "ensure that genocide is never tolerated or forgotten anywhere in the world and that those responsible for such heinous crimes should be held accountable under international law."

- The President should seek inclusion of new language in the annual UN resolution condemning the Vietnamese occupation of Cambodia. The new language should state the principle "that those responsible for acts of genocide and massive violations of internationally recognized human rights shall not return to positions of state power in Cambodia."

- The United States, along with the six-member Association of Southeast Asian Nations (ASEAN), should continue to assist the noncommunist factions of the Cambodian resistance, "particularly their efforts to achieve a negotiated settlement that would permit self-determination for the Cambodian people and the return of refugees in safety and dignity to their homeland."

- The United States and ASEAN should consider whether a political settlement would be facilitated by convening an international conference on Cambodia, and providing for international peacekeeping forces "that could supervise the withdrawal of Vietnamese troops and the holding of free and fair elections in Cambodia."

rector of United Cambodian Community, Inc. in Long Beach, California. "As a contribution to stability in Southeast Asia," Kanthoul told Refugee Reports, the resolution was "overdue. We are very nervous that the Khmer Rouge are getting stronger and stronger."

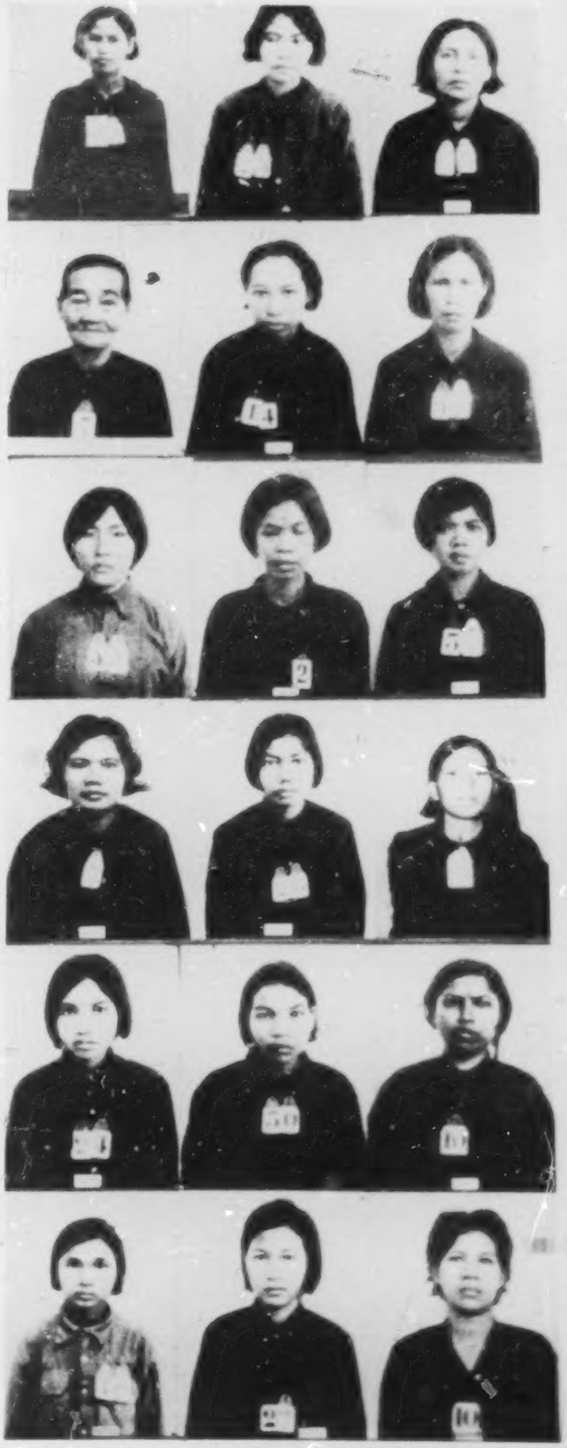
Human Rights Group Documents Khmer Rouge Crimes of Genocide Two principal cosigners of the letter from Cambodians in the United States to President Reagan were Dith Pran, a photographer with The New York Times whose story of survival during the Khmer Rouge reign of terror was made into the motion picture, The Killing Fields, and Dr. Haing Ngor, who won an Academy Award for his portrayal of Dith Pran in the film. "It hurts us," they wrote, "that the international community ignores and, through its silence, covers over what Pol Pot's forces did to us, our people and our country."

The Cambodian-American letter made two recommendations to the U.S. government. First, the letter suggested, Congress should pass the implementing legislation that will complete ratification of the UN Convention on the Prevention and Punishment of the Crime of Genocide. The law has passed the House and awaits a vote in the Senate. Once enacted, the law would enable the United States to bring suit against Khmer Rouge leadership for the crime of genocide, either in the World Court or an ad hoc international tribunal. The UN convention defines genocide as the intentional destruction, in whole or in part, of a national, ethnic, racial or religious group.

The letter also urged President Reagan to "ensure that the 1988 General Assembly of the United Nations unambiguously affirm...that it is the will of the international community that those who have already committed genocide once should not get a second chance."

Since 1979, annual UN resolutions have condemned the Vietnamese invasion and reaffirmed the right of the Cambodian people "to self-determination free from outside interference." Last year, a total of 117 countries supported the resolution, which refrained from any criticism of the Khmer Rouge.

The Cambodia Documentation Commission, a group of Cambodian refugees, human rights specialists, and scholars, has accumulated



Registration photographs of some of the 20,000 people imprisoned, tortured, and killed in Phnom Penh's infamous Tuol Sleng Prison.
Photo Credit: David Hawk

hundreds of hours of taped oral histories and hundreds of photographs documenting the genocidal crimes of the Khmer Rouge. Specifically, the group accuses the Khmer Rouge of eliminating more than 50,000 Buddhist monks; of eradicating up to half of the Cham, a Muslim ethnic minority; and of killing a substantial portion of the Khmer "national group" who were considered tainted by a bourgeois or urban background, or by foreign associations.

"We have enough proof of the Khmer Rouge crimes against humanity," said Dr. Kol Pheng, executive director of the Cambodia Foundation, a human rights advocacy group in Austin, Texas. "Now it is time to take action." Kol, who is also a member of the commission's advisory board, emphasized that his efforts to bring Pol Pot to justice were undertaken "on humanitarian grounds only. I do not want to get involved in politics." Several Cambodian community leaders contacted by Refugee Reports said they had signed the letter as individuals only, not as organizational heads.

One leader who did not sign the letter called it a "laudable effort," but feared that it might "play into the hands of the Vietnamese," by deflecting pressure for a Vietnamese withdrawal and dividing the resistance effort. "That argument," said Kassie Neou, "is no good anymore." The letter is very clear, he said, that "we denounce both the Vietnamese invasion and the return of Pol Pot. The time has come to say, 'No more killing in Cambodia.'"

Administration Says First Priority is Vietnamese Withdrawal The United States government is "totally opposed to a resumption of power by the Khmer Rouge," said David Lambertson, deputy assistant secretary of state for East Asian and Pacific Affairs, but, for the moment, "getting the Vietnamese out remains the central priority." Testifying before the Solarz subcommittee, Lambertson said that the inclusion of language in a UN resolution providing for the nonreturn of the Khmer Rouge "probably would be helpful." But he reiterated that the "primary objective" of U.S. policy on Cambodia was to remove the Vietnamese.

As to the ideas for international peacekeeping forces, disarmament of the various factions in the Cambodian conflict, and removal of Pol Pot and other senior Khmer Rouge leadership, Lambertson said that "the United States has taken no final position on any of these," although he acknowledged "the need to move now" to address the ways to control the Khmer Rouge.

"I must also stress, however," said Lambertson, "our strong belief that until Hanoi shows clearly--more clearly than it has to date--that it has in fact made the fundamental decision to end its occupation of Cambodia, the United States must continue our joint efforts with ASEAN and others to maintain diplomatic and economic pressure on Vietnam." He summarized the current U.S. position toward Vietnam as "no trade, no aid, and no normal relations."

"I want to express my anger at the Administration's policy," responded Atkins, a member of the House Subcommittee on Asian and Pacific Affairs. "We are obsessed with a Vietnamese withdrawal," said Atkins, which he felt certain would happen. "The fundamental problem is the Khmer Rouge. They will return to power absent a strong U.S. commitment to prevent it. But clearly the Khmer Rouge are a subsidiary question" as far as the Administration is concerned, he said.

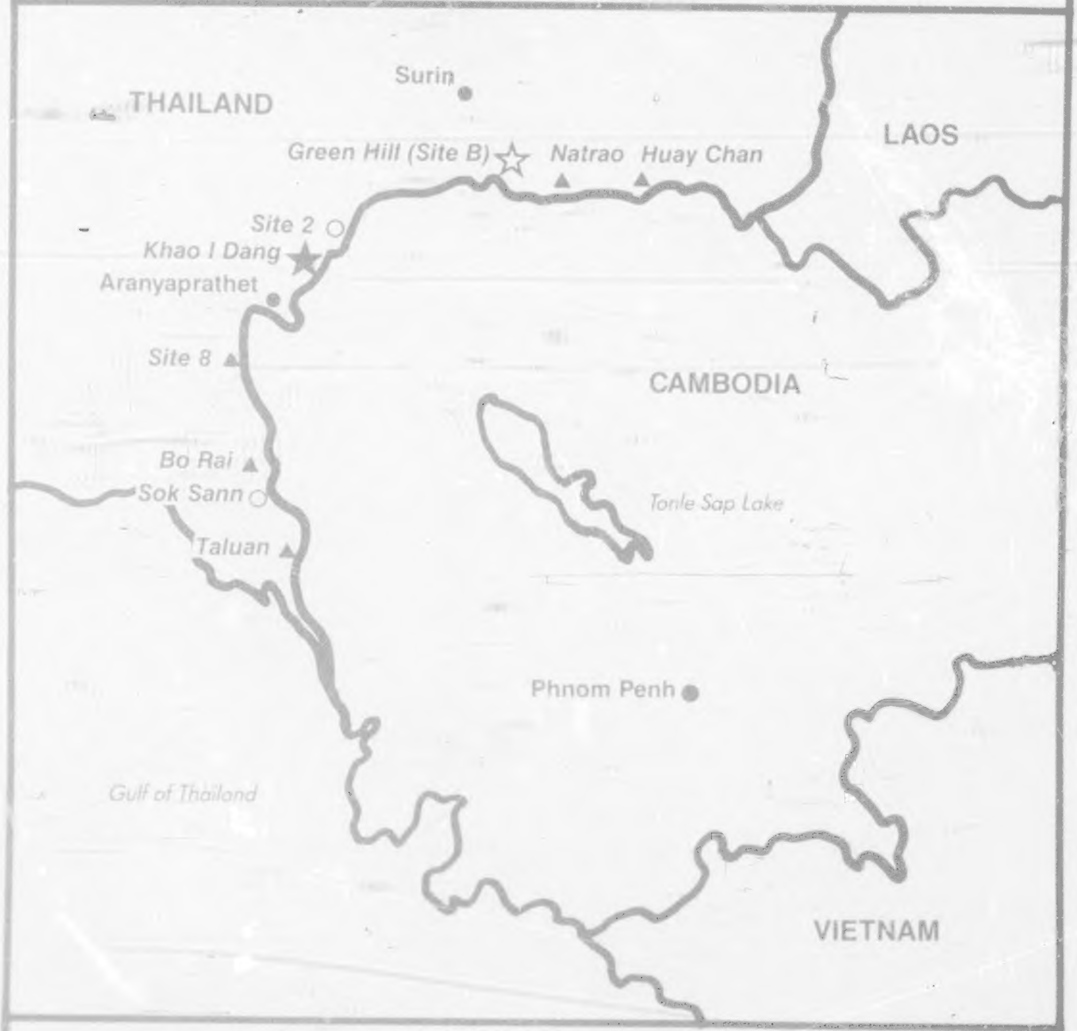
Kitty Dukakis Presses for Attention to Cambodian Refugees in Thailand "As the Vietnamese troops begin to pull out of Cambodia, and as the international community searches for an acceptable political settlement in that troubled country," said Kitty Dukakis, wife of Massachusetts governor and presidential candidate, Michael Dukakis, "we must not forget the 300,000 victims on the border" of Thailand.

Appearing before the House subcommittee, Dukakis cited several steps the United States needed to take for the 300,000 Cambodian "displaced persons" trapped for many years along the Thai-Cambodian border.

The first, Dukakis said, was to provide for family members in the camps to reunite with relatives in the United States. "There are thousands of refugees with family ties to America and to other nations who remain alone, in limbo, and in squalor," she told the subcommittee.

Because neither Thailand nor the international community acknowledges the border Cambodians to be refugees, their only hope of migrating to the United States is through immigrant or humanitarian parole processing.

Refugee Camps on the Thai Cambodian Border


Surin
THAILAND
LAOS
Green Hill (Site B)
Natrao
Huay Chan
Site 2
Khao I Dang
Aranyaprathet
Site 8
CAMBODIA
Bo Rai
Sok Sann
Tonle Sap Lake
Taluan
Phnom Penh
Gulf of Thailand
VIETNAM

Cambodian refugee camps, under the control of:

- ▲ Khmer Rouge
- ○ Khmer People's National Liberation Front (Son Sann)
- ☆ Prince Sihanouk's group
- ★ United Nations High Commissioner for Refugees

Camp populations, mid-June 1988, total about 317,000

SITE 2	165,940	HUAY CHAN	8,880
GREEN HILL (SITE B)	52,840	SOK SANN	8,260
SITE 8	33,210	BO RAI	4,420
NATRAO	16,510	KHAO I DANG	16,970*
TA LUAN	9,680		

Sources: United Nations Border Relief Operation; Oxfam
*As of late April 1988

But Dukakis expressed "disappointment and frustration with the level of commitment" in the Administration to facilitate this movement. "We have been moving very slowly," she said.

Since the family reunification program for border Cambodians was announced in September 1985, a total of 877 have been approved for admission to the United States, a State Department official told Refugee Reports. Of these, about 350 Cambodians actually have entered the country. The rest are either in border camps or in Phanat Nikhom processing center. Recently, Thailand has been "reasonably prompt" in allowing access to interview people on the border, the official said, but "there are still lags at each stage of processing."

The lack of adequate education programs in the camps is also "deeply disturbing," said Dukakis. At Site 2, housing more than 160,000 people, "internationally funded education is only available through the eighth grade and even that is of poor quality," she said. "This situation represents a tragic loss for the future of Cambodia."

A third priority for Cambodian refugees, according to Dukakis, was "24-hour protection" in the camps.

"At sunset, the voluntary agency workers leave the camps, and thus leave the refugees as easy prey, defenseless against attack, and even murder. There is no one to turn to for protection, guidance, or justice," she said.

Thais Take Steps to Improve Cambodian Border Camps' Security Indeed, some of the worst abuses, say relief workers and international human rights groups, have come at the hands of Thai security forces responsible for refugee protection.

Some time in August, according to Thai officials, new security units will replace the paramilitary Task Force 80 rangers. Drawn from regular army ranks, the new Displaced Persons Protection Unit (DPPU) will include 80 women and will undergo special training. The commanding officer, Col. Preecha Kojaseni, reportedly arrived on the border June 15 with a team of 29 staff officers to begin training 320 army personnel for their new duties.

The DPPU eventually will number 560 people and will be responsible for security in eight of the border encampments, including the five under Khmer Rouge control.

Problems Persist in Khmer Rouge Camps
Food deliveries to one of the Khmer Rouge camps, Huay Chan, were halted on May 1 by officials with the UN Border Relief Operation (UNBRO), who said administrators in the camp were blocking efforts to monitor aid distribution. Since then, the 8,880 residents have relied entirely on Chinese supplies. A UN official recently signalled that deliveries to Ta Luan, another Khmer Rouge base camp, may soon end if access does not improve.

"We are experiencing increasing lack of cooperation on the part of the leaders of Ta Luan," said S.A.M.S. Kibria, the UN secretary general's special representative for Kampuchean humanitarian aid," and unless the situation improves we may have to suspend our supplies and services there also."

A senior UNBRO official said that relief workers regularly report "bizarre violations of human rights" in the Khmer Rouge camps, even in Site 8, where international access is relatively free. "The more we see" of the Khmer Rouge, said another official, "the more we dislike what we see. They have been playing dirty tricks on us."

Atkins said that the United States has done "virtually nothing to pressure Thailand" to allow people in the Khmer Rouge camps freedom to move to another location. Relief workers generally estimate that 80 percent would leave the camps if they could. According to one official, "The vast majority are captives who have been herded around by the Khmer Rouge since 1979."

Search for a Political Settlement Accelerates Signs of new flexibility on the part of several key players in the nearly 10-year-old Cambodia conflict have convinced diplomats that prospects for peace are better than ever before. Vietnamese Foreign Minister Nguyen Co Thach has promised to attend a meeting on July 25 in Jakarta, at which representatives from all four Cambodian factions will be present.

Commonly referred to as the "cocktail party," the first stage of the meeting will bring together the Hanoi-backed People's Republic of Kampuchea with the tripartite Coalition Government of Democratic Kampuchea, which includes two noncommunist resistance groups and the Khmer Rouge. The

The long resistance war has taken its toll on both sides. Site 2 on the Thai-Cambodian border has more than 2,400 handicapped people and more than 7,000 orphans.
Photo Credit: Stefan Ellis

second stage of the talks will include the Vietnamese, along with Indonesian and perhaps Thai participation.

Indonesian Foreign Minister Ali Alata's said that he hoped for "breakthroughs on some essential and crucial elements" necessary for a political settlement. According to a Washington Post report, some of the elements outlined by Alatas following an ASEAN foreign minister meeting in Bangkok include agreement on a timetable for the withdrawal of the remaining Vietnamese troops; agreement on the formation of an interim coalition government involving all four Cambodian factions; and convening an international conference to negotiate arrangements for an international peacekeeping force to monitor a ceasefire and free elections.

In a policy statement on Cambodia released on July 1, China signalled a willingness to consider safeguards against a Khmer Rouge return to power. The Chinese statement called for a Vietnamese troop withdrawal, a freeze on the troop strength of all Cambodian factions, and internationally supervised elections. In supporting the concept of a four-party provisional government to govern Cambodian until elections could be held, China proposed that each party's candidates would have to be acceptable to the other three. Diplomats say this would give the other groups veto power over the involvement of Pol Pot and other top Khmer Rouge leaders.

What remains to be determined is whether even a share of state power for the Khmer Rouge will be acceptable to the Cambodian people. "While in power the Khmer Rouge used the slogan, 'to preserve you is no gain, to lose you is no loss,'" said Haing Ngor. "In exile and preparing to return, the Khmer Rouge now use the slogan, 'when the water rises, the fish eat the ants; when the water recedes, the ants eat the fish.' There is not a single Cambodian who does not understand exactly what that means."

Update

On a tour of Southeast Asian nations, Secretary of State George P. Shultz said that voluntary repatriation of refugees back to Vietnam must be considered as one alternative to resettlement, according to a July 10 story in the New York Times. Shultz also endorsed the idea of a UN-sponsored international conference on Indochinese refugees, possibly in early 1989.

Following a meeting on July 4 in Bangkok, the foreign ministers of the six-member Association of Southeast Asian Nations issued a brief statement calling for a "new comprehensive program of action" to deal with the continued outflow of refugees from Laos, Cambodia, and particularly Vietnam. "The structures, premises and assumptions of the past are no longer capable of dealing with the Vietnamese boat people problem," the statement said.

One of the fundamental structures now under scrutiny was established at an international conference in Geneva in 1979, at which neighboring countries in Southeast Asia agreed to take in refugees temporarily if Western countries committed to accept them for resettlement. Under that arrangement, more than 1.5 million refugees have been resettled in other countries, including 850,000 in the United States.

With refugee departures from Vietnam increasing for the second year in a row, asylum and resettlement countries are questioning whether the presence of an international resettlement program provides too much of an incentive to leave Vietnam. "It is feared that the policies themselves are creating a possible problem," said Shultz.

In FY 86, 20,597 Vietnamese boat people arrived in first asylum countries, according to State Department figures. The next year, the number climbed to 23,619, and in the first eight months of FY 88, a total of 27,161 Vietnamese have sought asylum in the region, including 10,725 to Malaysia and 6,108 to Hong Kong.

In his consultations with the ASEAN foreign ministers, Shultz said there was agreement on several points, including the need to explore "the possibilities of voluntary repatriation." On June 15, the Hong Kong government implemented a new policy to screen out and detain nonrefugees, pending their eventual return to Vietnam. Those determined to be refugees with a well-founded fear of persecution would be allowed to seek resettlement. The State Department reportedly has supported the new measures, provided they are carried out according to United Nations standards.

Another point of agreement with the ASEAN ministers, said Shultz, is the convening of "an international conference as has been suggested, perhaps next spring, under UN auspices." Up until one week ago, State Department officials had expressed very mixed feelings about a conference, fearing that it would only confirm the diminished commitment to resettlement on the part of Canada, Australia, and France, the United States' three major resettlement partners.

° The House Subcommittee on Immigration, Refugees, and International Law has marked up the Refugee Resettlement Extension Act of 1988 (H.R. 4827), which would authorize funding for domestic refugee resettlement for an additional two years. The House bill would also:

- establish an emergency assistance fund for domestic placement and resettlement to cover domestic costs related to emergency refugee admissions.

- require voluntary resettlement agencies who receive at least $100,000 in federal funds to submit audited annual financial statements to the State Department.

- establish additional guidelines and report requirements for consultations on refugee admissions and resettlement between Congress and the Administration, and between the federal government and state and local governments.

- allow for alternative projects for Hmong and lowland Lao refugees in the United States more than 36 months.

- require the State Department to submit a report to Congress every six months on the resettlement of Vietnamese Amerasians and the Orderly Departure Program.

- transfer the responsibility for refugee placement policy from the Office of Refugee Resettlement to the State Department.

The Senate bill (S. 2605), which was reported out of the full Judiciary Committee on July 14, would extend authorization for three years instead of two, and does not include provisions for an emergency resettlement fund, alternative projects for Hmong and Lao, or reports on Vietnamese programs. Senate language on annual refugee consultations and voluntary agency audits is similar to the House bill.

Two amendments to the Senate bill would establish a pilot program for refugees with long-term welfare dependency, and require the U.S. Coordinator for Refugee Affairs to develop further guidelines on private sponsorship.

The newsletter of the Southern California chapter of the American Immigration Lawyers Association has published an INS document called "Discussion and Definitive Requirements of the Four Mandatory Jail Inspection Criteria of INS Jail Inspection Guidelines," which sets out the minimal standards for private alien detention facilities under contract with the INS. The document lists the minimum level of food service for aliens in detention as "(i) two meals in a 24 hour period; (ii) no fewer than 1,500 calories total, per 24 hours, and if detention exceeds 4 days, no fewer than 2,000 calories per day thereafter; (iii) no more than 14 hours between meals."

The newsletter editor commented, "Potential alien clients would be well advised to get a good meal before being detained."

On March 7, a district court in California ruled that routine strip searches of juveniles upon admission to INS facilities, and after visits with persons other than their attorneys, are unconstitutional. Senior Judge Robert J. Kelleher granted summary judgment for the plaintiffs in a class action suit--Flores, et. al., v. Meese--involving juveniles in INS custody in the Western Region. He determined that the INS practice violated the Fourth Amendment.

Recent Developments

ARMENIAN REFUGEE PROCESSING IN MOSCOW ABRUPTLY SUSPENDED

On the 4th of July, the United States abruptly suspended refugee processing out of the U.S. embassy in Moscow, which has been the route of entry for almost all Armenians leaving the Soviet Union under the U.S. refugee program.

According to Armenian sources, some 70 to 100 families had been invited to the U.S. embassy in Moscow for what they understood to be pro forma final interviews where they would pick up their visas for Rome. They were reportedly told that the program had run out of money and to come back October 1, the beginning of the next fiscal year.

"I can't believe this from America," said Souren Boursalian, whose brother, Zareh, is stranded in Moscow along with his wife and three children.

"He sold his home, left his job, everything," Boursalian told Refugee Reports. "Now, he can't go back to Armenia, and as far as I know, no hotel will accept him in Moscow." Boursalian said that he doesn't know where the family of four now is. He said that he is hoping they have found friends to stay with in Moscow, but that "no one can take them in for three months."

Boursalian said, "If the U.S. embassy had told them not to come to Moscow, to wait until October 1, it would have been all right. They would have waited quietly. But this is not fair. We have lost sleep over this. We are very frustrated and don't know what to do."

Boursalian said that he has called U.S. government authorities, "but nobody could answer my questions." He has also written a letter to President Reagan.

President Reagan Concerned On July 9, the Washington Post reported that President Reagan "was very concerned" about the Armenian refugee processing problem. White House spokesman Marlin Fitzwater was quoted as saying, "There is considerable cost asso-

Soviet Refugee Admissions to the United States, ATCP and nonATCP

FY 1988	ATCP	NonATCP	Monthly Total	Cumulative Total
Oct. 87	347	485	832	832
Nov.	562	662	1,224	2,056
Dec.	606	564	1,170	3,226
Jan. 88	795	701	1,496	4,722
Feb.	1,053	710	1,763	6,485
Mar.	1,027	577	1,604	8,089
April	929	583	1,512	9,601
May	1,242	465	1,707	11,308
June	1,770	848	2,618	13,926
Totals, first three quarters FY 88	8,331	5,595	13,926	

Source: Bureau for Refugee Programs/Department of State

ciated with relocation and resettlement, but it is clearly a problem that the president wants to work out and I'm confident that it will be." Fitzwater reportedly said that he did not know how the problem would be resolved, but that he expected a resolution "very soon."

The State Department maintains that there are insufficient funds in the budget to accommodate the Armenian exodus. They stress that the suspension of processing is temporary and will resume on October 1.

Richard Shifter, Assistant Secretary of State for Human Rights and Humanitarian Affairs, met with a group of about 40 would-be refugees in Moscow on July 13. According to the New York Times, Shifter told the group, "We, too, can make bureaucratic mistakes." His audience of Armenians, Jews, and Pentecostalists was described by the Times reporter as "politely incredulous."

Shifter reportedly told the group that the issue was being reviewed by high-ranking officials in Washington, but declined to predict what would be decided.

A U.S. embassy official in Moscow told the New York Times that the embassy is continuing to accept applications from Soviet citizens with exit permission who wish to emigrate, but that departure interviews (when applicants receive their visas) have been postponed.

The embassy spokesman indicated that the decision came about because of "an unexpected and very large surge in Soviet refugee applications and severe budget constraints."

The emigration of Soviet Armenians has indeed increased dramatically (see Refugee Reports, Vol. IX, No. 3). In 1986, only 286 Armenians left the Soviet Union. In 1987, the U.S. embassy received 1,849 Armenian applications (most coming in the last quarter of the year). This year, preliminary State Department figures indicate that about 9,500 Soviets--mostly Armenians--will emigrate through the Accelerated Third Country Processing (ATCP) program, which operates out of the U.S. embassy in Moscow.

(Although a small number of Soviet Jews with letters of invitation from relatives in the United States also use the ATCP program, most have letters of invitation from relatives in Israel, and obtain exit visas from the Dutch Embassy. From there they go to Vienna. In Vienna, the majority opt to come to the United States rather than

Israel (see Recent Developments). Some 8,500 non-ATCP Soviets--mostly Jews--are expected to be admitted as refugees into the United States this year. Funding for this program has not been suspended.)

Government Move Criticized On July 13, the Armenian Assembly of America sent a letter to Secretary of State George P. Shultz saying that it was "deeply distressed" at the decision to suspend Soviet emigrant processing "in mid-course."

The letter stated that the decision not to honor letters of invitation from the U.S. embassy in Moscow to persons holding Soviet exit permits "has caused great hardship for hundreds of Soviet emigres."

"It is widely known," the letter went on to say, "that persons applying to leave the Soviet Union routinely must sacrifice their rights to employment, education, housing, and other government subsidies."

"To alter this policy," said the Armenian Assembly, "without consultation and without advance notice, is inhumane and in effect punishes prospective emigrants for their reliance on a commitment made by our government."

The National Conference on Soviet Jewry called the suspension "potentially tragic," and urged that the U.S. government "immediately find the funds to reinstate the activities of its Moscow embassy."

ISRAEL AND U.S. COMPETE FOR EXITING SOVIET JEWS

A behind-the-scenes tug-of-war appears to be underway between the United States and Israel concerning the offer of refuge for Jews leaving the Soviet Union, a struggle that has the American Jewish community caught in the middle.

In June, the Israeli government took steps to ensure that Jews exiting the Soviet Union would transit to Israel via Bucharest, thus avoiding the stopover in Vienna, where more than 80 percent of Jews with visas to Israel have opted to "drop out" in favor of resettlement in the United States, Canada, or other Western countries in recent months.

The new arrangement, which would seek to force emigrating Jews to transit via Bucharest, where they would not have the option to "drop out," is not fully operational as of this writing, although small numbers of Jews have been voluntarily entering Israel in this manner (see Refugee Reports, Vol. VIII, Nos. 3 and 8).

A joint statement on the issue of "direct flights" of Soviet Jews to Israel was issued in June by eleven major American Jewish organizations, including the American Jewish Committee, the Hebrew Immigrant Aid Society (HIAS), the National Conference on Soviet Jewry, and the World Zionist Organization/American Section. The statement welcomed the Israeli initiative to secure direct flights for Soviet Jews "who wish to settle in Israel." It also said that it was "imperative" that a program for "direct invitations from Soviet Jews settled in North America, to their relatives in the Soviet Union, be set forth quickly and effectively."

Morris B. Abram, chairman of the National Conference on Soviet Jewry, said, "The new Israeli procedure reaffirms the principle of free choice in emigration: Jewish emigrants who intend to settle in Israel will be able to proceed directly to Israel via Bucharest. Those who wish to emigrate to the United States and Canada should be able to do so by applying to the embassies of those countries in Moscow after receiving invitations from their family members."

David A. Harris, Washington Representative of the American Jewish Committee and author of a forthcoming book on the subject of the destination of Soviet Jewish emigres, told Refugee Reports, "This is one of the most contentious, sensitive, and complex issues involving Israel and the diaspora, which goes to the heart of the Jewish state as the ingatherer of the exiles and of the validity and vitality of the diaspora."

Harris said that the two-track proposal from the American Jewish community, calling for direct departures to Israel or to whatever other country the would-be emigrant would choose, was a "compromise among different clashing, but compelling concerns." He said that the proposal seeks to accommodate the "support of Jews everywhere for a strong, robust Israel" which depends on continued Jewish immigration, as well as the "almost sacred respect for democratic values and human rights, embraced in the concept of freedom to decide one's own fate."

Press Speculate on Policy The Israeli action and the U.S. and Soviet responses have been the subject of open speculation in editorial pages from New York to Tel Aviv. On June 27, syndicated columnists Evans and Novak wrote that new Justice Department regulations cleared by the State Department "will give Soviet Jewish refugees flown to Israel via Romania a new right to come immediately to the United States as 'refugees,'" despite the fact that they would be granted Israeli citizenship automatically under Israel's Law of Return.

Under international law, a refugee who is offered citizenship by a host country loses his refugee status. Ordinarily, this would mean that Soviet emigres in Israel would have to apply to the United States for immigration visas, a much slower procedure involving a completely different set of eligibility and preference criteria than the refugee processing track.

A.M. Rosenthal wrote in the July 12 New York Times that the State Department has a two-part plan to 1) call upon the Soviet Union to allow Jews to travel directly to the United States (as currently permitted for Soviet Armenians; and, if that request is refused, to 2) amend U.S. immigration regulations "so that Soviet Jews who have to go to Israel will not lose their refugee status."

One knowledgeable government source told Refugee Reports that the Evans and Novak piece was "wrong". Several other government sources interviewed by Refugee Reports said that the articles suggesting new regulations for admission of Soviet Jews in Israel as refugees were only extrapolations from the proposed revised asylum regulations published in the April 6 Federal Register (see Refugee Reports Vol. IX, No. 4).

The proposed asylum regulations say that aliens will not be considered to be "firmly resettled"--and therefore ineligible for asylum--if the offer of citizenship comes from a country the asylum applicant entered as "a necessary consequence of his flight from persecution."

Although the regulations were published concerning asylum, and not overseas refugee admissions, one Justice Department source said that "we don't want two separate definitions of 'firm resettlement.'" He also said, however, that the Justice Department "is not jumping" to rewrite the regulations

BIA RULES ASYLUM APPLICANT NOT FIRMLY RESETTLED IN ISRAEL

The question of processing Jews who transit through Israel as refugees in the United States has already been addressed in a 1987 Board of Immigration Appeals (BIA) ruling. In Matter of Hakimian, the BIA overturned an immigration judge's discretionary denial of asylum to an Iranian Jew who resided in Israel for five years.

Shahriar Hakimian had established a well-founded fear of persecution in Iran based on his Jewish faith, but had resided in Israel for 5 years before applying for asylum in the United States.

The immigration judge specifically found that Hakimian had been firmly resettled in Israel and could have become a resident of Israel and found safe refuge there. Although recognizing him to be a refugee from Iran, the judge exercised his discretion to deny asylum on the basis of Hakimian's firm resettlement in Israel.

The BIA said that the "real reason" for the immigration judge's discretionary denial of asylum "was the fact that as a Jew, the respondent could have obtained residency in Israel under that country's law of return."

However, the Board found that Hakimian was in Israel only as a student, and that "he has never applied for nor received refugee or asylee status in Israel or anywhere else other than the United States."

The BIA noted that the United States has never said that an alien must apply for asylum at the first available opportunity. "His preference for the United States is clearly not an adverse factor," it said.

The BIA said, "It may be that if the respondent had submitted an application to reside in Israel under that country's law of return, his application would have been granted. However, the respondent chose to apply for asylum here, instead, and not to become an Israeli resident."

The BIA reversed the decision of the immigration judge and approved Hakimian's application for asylum.

for the section of the law dealing with refugee admissions.

A State Department source said, "We support freedom of choice" for Soviet Jews, but declined to comment further on how the United States would respond to moves by Israel to compel Soviet emigres first to travel to Israel.

The Soviet Position A year ago, in the July 10, 1987 Russian-language edition of Novoye Vremya, Rudolf Kuznetsov, chief of the Soviet Ministry of Internal Affairs Visa and Registration Department, stated that "a former Soviet citizen, who left the USSR for Israel and now lives in a third country that has diplomatic relations with the Soviet Union, can send an invitation to his relatives. It will be considered according to regular procedure."

Although in past years, invitations for family reunification were only accepted by the Soviet authorities from Jewish relatives in Israel, about 300 Soviet Jews have received permission to leave the Soviet Union this year based on invitations from family members in the United States, more than triple the number permitted in 1987 and ten times the number permitted in 1986.

More recently, Gennadiy Gerasimov, spokesman for the Soviet Foreign Ministry, appeared again to endorse the idea of "direct departures" to either Israel or the United States. In a June 21 interview with the Hebrew-language Ma'Ariv, in Tel Aviv, he said, "If a Jew receives an exit visa to Israel he can leave for Israel, and if he receives a visa to the United States he can leave for California."

He also said, however, "The USSR has no issue with the Israeli government's decision to compel Jews who receive exit visas to Israel to go only to that country." In what the Israeli reporter noted was "an ironic tone," Gerasimov added, "Your decision constitutes the denial of a person's freedom of choice to travel anywhere he likes." He also predicted that fewer and fewer Jews would request exit visas to Israel "because they compare life in Israel in the wake of the Palestinian uprising and your weather to the good life in California."

The Israeli Position The Israelis maintain that since the overwhelming majority of Jews exiting the Soviet Union do so based on letters of invitation from relatives in Israel and with Israeli visas obtained through the Dutch embassy in Moscow, they have, in effect, agreed to come to Israel.

The notion that a Jew could be processed as a refugee into the United States from Israel seems particularly irksome to the Israelis, who maintain that all Jews have a homeland in Israel.

An Israeli official in Washington told Refugee Reports, "The very idea that any Jew in Israel can be described as a refugee is anathema and deeply offensive to all Israelis as individuals." Although saying that he believed that the United States would not go forward with such a policy, he said that if it did, it "would create a very serious problem in relations with Israel."

Meetings and Conferences

° "Hepatitis B: Surveillance and Strategies for Control in Refugees" will be held on September 15, 1988 at the Pfister Hotel in Milwaukee, Wisconsin.

Sponsored in part by the Refugee and Immigrant Health Program of the state of Wisconsin, the conference is the first to be devoted entirely to this subject.

For further information on the conference, call Kate Kvale, Conference Coordinator, Refugee and Immigrant Health Program, (608) 266-9452.

° "Refugee Mental Health: Looking Foreward, Looking Back," a conference co-sponsored by the Colorado Division of Mental Health (CDMH) and the Spring Institute for International Studies, in consultation with the National Institutes of Mental Health, will be held in Vail, Colorado, September 8-10, 1988.

Topics covered will include prevention, cross-cultural testing, pharmacolocy, acculturation, and mental health issues affecting Amerasians.

The registration fee is $95.00. For further information, contact Roberta Tapia at CDMH, (303) 762-4095 or Myrna M. Adkins at the Spring Institute for International Studies, (303) 431-4003.

Resources

ACADEMY AWARD WINNER HAING NGOR TELLS HIS OWN STORY OF THE KHMER ROUGE HORRORS

"I have been many things in life," begins Haing Ngor's story of survival under the brutal Khmer Rouge, "a trader walking barefoot on paths through the jungles. A medical doctor, driving to his clinic in a shiny Mercedes. In the past few years, to the surprise of many people, and above all myself, I have been a Hollywood actor. But nothing has shaped my life as much as surviving the Pol Pot regime. I am a survivor of the Cambodian holocaust. That's who I am."

Dr. Haing Ngor won an Academy Award in 1985 for his portrayal of New York Times photographer Dith Pran in The Killing Fields. Just before the presentation, Haing Ngor said he was excited but at peace, "because I knew that my best performances were over before I left Cambodia. And the prize there was much greater."

The prize was his life. Before the Khmer Rouge took power in April 1975, Haing Ngor had a thriving medical practice in Phnom Penh and held the rank of captain in the Lon Nol army. Under the new communist regime, these were crimes punishable by death. Haing Ngor took on a new identity as Samnang, a cab driver. His wife, Huoy, a teacher, became Bopha, a vegetable seller. He protected his dangerous secret three times under mind-chilling torture by the Khmer Rouge. He suffered a severed finger, a maimed leg, beatings, crucifixion above a slow fire, and water torture. He watched his father and other family members being led off to death in the Khmer Rouge prisons. Houy died in childbirth in his arms.

But Haing Ngor lived, and his story offers not only a shockingly vivid description of daily life under the Khmer Rouge but also insights on the motivations behind their atrocities. In a cogent play on words, he calls the Khmer Rouge "communist at the top and kom-monuss at the bottom." The leaders and ideologues sat in Phnom Penh or regional headquarters and spun out their theories of "independence-sovereignty" and agrarian revolution. At the bottom, in the fields and collectives, were the kom-monuss, the "revenge-people. All they know," said Haing Ngor, "is that city people like us used to lord it over them and this is their chance to get back."

Haing Ngor: A Cambodian Odyssey was written with Roger Warner, a freelance journalist, and published by MacMillan, 866 Third Avenue, New York, N.Y. 10022. ($19.95)

OXFAM PUBLISHES BOOK CONDEMNING ISOLATION OF CAMBODIA

The Western nations' political and economic isolation of Cambodia in order to punish the Vietnamese nine-year occupation of that country is also punishing many innocent and impoverished Cambodians, according to a book published by Oxfam, a British voluntary agency. Moreover, the ban on development aid, coupled with international support for a coalition government in exile that includes the Khmer Rouge, "perpetuate the conflict and suffering of Kampucheans both inside the country and on the Thai-Kampuchean border."

Punishing the Poor: The International Isolation of Kampuchea, written by Eva Myslewiec, chronicles the devastation of Cambodia during the Vietnam War from 1970 to 1975, the brutality that followed under Khmer Rouge rule from 1975 until the Vietnamese invasion in December 1978, and the efforts to rebuild the country under the Vietnamese-backed government of the People's Republic of Kampuchea.

"Today, the quality of life for many Kampuchean people has improved somewhat but the struggle to meet basic human needs continues," writes Myslewiec. Rice production has increased from 538,000 tons in 1979 to 1,996,000 tons in 1986, though this is still short of requirements for self-sufficiency. Industrial recovery "has been disappointingly slow," although 60 of Cambodia's 100 factories are functioning again.

"The most significant revival has occurred in education," according to the book. Virtually all forms of education, other than political indoctrination, were eliminated under the Khmer Rouge. Now, out of a population estimated at 7 million, more than 1.5 million children are enrolled in primary school, and more than 50,000 teachers have been trained or retrained.

Health remains a serious concern, with diarrhea, malnutrition, malaria, and tuberculosis the greatest hazards. As for religion, Buddhism has been allowed to revive, along with Islam, but "although the government guarantees religious freedom, it still barely tolerates Christianity."

Mysliwiec argues that "since 1982, as Kampuchea has progressed from the state of emergency, western aid donors have been unwilling to expand cooperation from purely emergency aid to reconstruction and development projects...Kampuchea is the only Third World country to be denied UN development aid."

In addition to recommending that reconstruction and development aid be provided to Cambodia "independently of political considerations," the book also calls on the international community to withdraw all support for the Khmer Rouge leaders responsible for acts of genocide; to extend refugee status to the 300,000 "displaced persons" on the Thai-Cambodian border and move the camps farther from the fighting; and to support efforts toward a negotiated political settlement.

Punishing the Poor is published by Oxfam, 274 Banbury Road, Oxford OX2 7DZ, UK.

A CENTURY OF JEWISH EMIGRATION RECOUNTED

The exodus of Jews is a story as old as the Bible itself, but a new work by Ronald Sanders, The Shores of Refuge: A Hundred Years of Jewish Emigration, takes these traditional themes into the 20th century. At work is the interplay of modern anti-semitism--starting with the Russian pogroms of the late nineteenth century and culminating with the Nazi Holocaust--with migration and sources of hope associated with it, whether represented by the "Goldene Medina" of the United States or of aliyah--"going up"--to Israel.

The book focuses first on the pre-Holocaust years when the options for emigration were severely limited by U.S. immigration restrictionism or British limits on settlement in Palestine. Then Sanders examines efforts to save Jews from the Nazi onslaught as well as efforts to deal with displaced persons after the close of the Second World War.

In some respects, the 673-page book is a history of one of today's most respected voluntary agencies in the field of refugee resettlement--the Hebrew Immigrant Aid Society (HIAS). "The special place of HIAS," writes Sanders, "is due not only to its having preeminently served...[Jewish emigration], but to being a product of it: for HIAS was the first such organization to be founded and led by people who were themselves immigrants from Eastern Europe."

While providing interesting historical insights into such continuing phenomena as the competitive pull of two "Promised Lands" --Israel and America, the book's focus is limited essentially to the migration of Ashkenazic Jews from Europe, thereby mostly missing the story of the migration of Sephardic Jews from Arab and Persian lands as well as the more recent movement of the "falashas" of Ethiopia.

Shores of Refuges, published by Henry Holt and Company, is listed at $27.95.

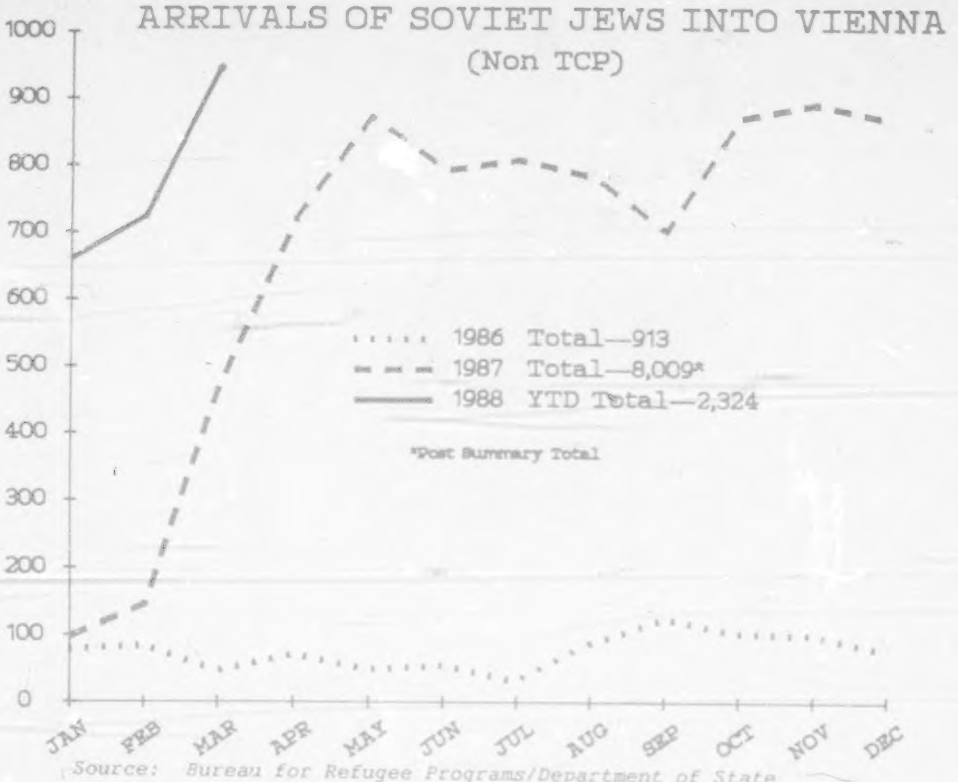
ASIAN ENGLISH LANGUAGE PROFICIENCY EVALUATED

Federal guidelines for bilingual education require that the abilities of limited English proficient (LEP) children be evaluated in their own languages. Yet as recently as the 1985-6 update survey of the American Speech-Language-Hearing Association (ASHA), there is not a single certified speech-language pathologist or audiologist in the United States who speaks Vietnamese, Laotian, Hmong, or Khmer.

Assessing Asian Language Performance: Guidelines for Evaluating Limited-English-Proficient Students, by Li-Rong Lilly Cheng, is an attempt to fill this and other gaps by making speech professionals more aware of the problems faced by LEP Asian students and by giving them guidelines for overcoming these barriers.

The book provides cultural, historical, and linguistic overviews of each Asian immigrant group in the United States and evaluates the variety of barriers to language services and second language acquisition.

Assessing Asian Language Performance is available for $38 from Larry Abram, Aspen Publishers, 7201 McKinney Circle, P.O. Box 990, Frederick, MD 21701-9782. (800) 638-8437.



ARRIVALS OF SOVIET JEWS INTO VIENNA
(Non TCP)

Source: Bureau for Refugee Programs/Department of State

REFUGEE REPORTS is published monthly for $28.00 per year for one subscription, $20.00 each for two or more subscriptions to the same addressee, or $20.00 each for ten or more subscriptions requested at the same time, mailed to separate addresses; overseas postage, $24.00 additional; by ACNS, 95 Madison Avenue, Third Floor, New York, NY 10016. Second Class Postage paid at New York and additional mailing offices. POSTMASTER: send address changes to *Refugee Reports*, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204.

Editorial comments and inquiries should be sent to: *Refugee Reports*, 815 Fifteenth Street NW, Suite 610, Washington, DC 20005. All communications regarding subscriptions should be sent to: Refugee Reports Subscriptions, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204. (615) 377-3322.

Basic subscription rate for 12 issues per year: $28.00; Multiple-copy rate: $20.00; Single copies of back issues: $2.50
Editor: Virginia Hamilton; Staff Writers: Bill Frelick, Court Robinson
Distribution Manager: Carolyn Moore; Production Coordinator: Koula Papanicolas
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Refugee Reports
A News Service of the U.S. Committee for Refugees, a Project of the American Council for Nationalities Service
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Refugee Reports

A News Service of the U.S. Committee for Refugees
1025 Vermont Avenue NW, Suite 920 Washington, DC 20005 (202) 347-3507

Volume IX, Number 8
August 12, 1988

[The U.S. Committee for Refugees and the U.S. Catholic Conference Migration and Refugee Services recently helped send journalist Joseph Cerquone to Vietnam to study the situation of Amerasian children first-hand. This article is his report on that trip.]

AMERASIANS IN VIETNAM: NEW CLIMATE OF HOPE, BUT PROBLEMS REMAIN

When hope for resettlement of Amerasian children rekindled after new U.S. legislation was passed last December, a number of important questions arose in U.S. resettlement circles: how many children could be expected to arrive in the United States? When? How are Amerasians informed in Vietnam about their emigration chances? What are their living conditions like? Are any being forced to leave? And, do all Amerasians want to come to the United States?

One doesn't have to be in Vietnam long to realize that clear answers are difficult to find. Vietnamese officials do speak positively about the future of Amerasian emigration. Moving as many as 12,000 children and 18,000 family members by 1990 is the target set by the Amerasian Homecoming Act [see box]. That goal can be reached, according to Luu Van Than, of the Vietnamese Orderly Departure Office.

Still, he and other authorities in Vietnam offer few details about how they intend to meet that deadline, and, if this reporter's impressions based on a recent visit to Vietnam are accurate, there are many concrete problems to address if the obstacles facing Amerasians are to be resolved.

Key information is incomplete at best. Certainly, emigration to the United States is the option being chosen by many Amerasians. But others are reportedly mistreated by caretakers in Vietnam who ill-inform or "hold back" children as a way of ensuring that they continue to get assistance from parents in the United States. For some, who have good relationships in Vietnam, and appear to have adapted to life there, resettlement may not be the best answer. Vietnamese officials have indicated that Amerasians can remain in Vietnam if they wish. However, in Vietnam, child care experts, those who are qualified to examine and evaluate Amerasian cases in terms of their indi-

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For Amerasians who seek to leave Vietnam, bureaucratic delays can slow their progress. This young woman has tried to leave for many years. Cerquone

vidual needs, don't have processing roles to play. Instead, independent local officials, some of whom can be uncooperative by Hanoi's own admission, sometimes easily frustrate central government attempts to address Amerasian processing.

"They have much to solve," observed Tran Quang Co, Vice Minister of Foreign Affairs, referring to local authorities. "They are not only occupied by the question of the Amerasian children. For them, economic problems are priorities. So we can't give them strict instructions to stop every other activity to concentrate only on Amerasians."

The difficulties mentioned by the vice minister are sizable. Per-capita income in Vietnam is among the lowest in the world; there have been serious food shortages recently--in June, the World Food Program announced it would send Vietnam $9.1 million worth of aid to help 1.5 million drought victims; and the country suffers from a chaotic economy and deteriorated infrastructure. More than one million children under age five in Vietnam are malnourished, according to the United Nations, and a skyrocketing national birth rate increases the prospect of ever more hungry mouths to feed.

Many Amerasians Living Outside Ho Chi Minh City Have Less Access to Processing Many Amerasians live far from their storied home, the streets of Ho Chi Minh City. For example, about 300 live in Qui Nhon, a 16-hour drive from southern Vietnam. According to Thong Ninh Tan, Secretary General of the local People's Committee, nearly 900 Amerasian children are in the province surrounding Qui Nhon.

Such statistics have been hard to come by. According to U.S. sources, Hanoi recently released for the first time the names of approximately 2,000 Amerasians and family members in remote provinces. A reliable census of these children is critical, according to experts, to ensure proper processing of their cases. But reliable data on Amerasians in outlying areas are difficult for the Vietnamese to produce. Although Vietnam says that a count is under way, details about it are few and officials admit they can't find some children because outdated addresses have stalled searches. As a result, some children may not know that they are eligible for the Orderly Departure Program (ODP).

When asked what is being done to find and inform Amerasian children in Qui Nhon, Thong Ninh Tan says that much is being done, as evidenced by two-thirds of the local Amerasians having applied for exit visas. But he is vague about what officials actually do to find and inform Amerasians about their emigration opportunities.

"I love them [the Amerasians in his district] as I love my own," says Tan, an ex-Viet Cong soldier who lost fingers during the war to a mortar shell. But he also comments that "things are still difficult" in Qui Nhon, a city that was virtually destroyed during the war. Apparently, not the least of its problems is the fact that life has sprung abundantly from the ashes of conflict--today there are 45,000 schoolchildren in Qui Nhon, more than triple the number in 1975.

For Amerasians Being Processed, Bureaucracy Tangles Movement Different problems beset Amerasians whose departure applications are being processed. In Vietnam, applicants' papers shuffle and wind through a layered bureaucratic mill in which the responsibility of individual officials is hard to pinpoint, the influence of the Vietnamese foreign ministry--a proponent of Amerasian emigration--is reduced, and child welfare specialists and advocates are absent.

The process is heavily controlled from the local interior ministry offices where authorities may be unenthusiastic or even hostile when an Amerasian approaches them about leaving. Sources say such responses may stem from the fact that helping Amerasians can mean draining already scarce resources needed for other problems burdening local officials, and also because negative wartime sentiments still tinge the views of others.

Whatever may be the case, local influences can figure heavily. In a report last month about Vietnam, the Washington Post noted that "entrenched local party chieftains...rule their provinces like feudal lords." The paper added that corruption is endemic at provincial and local levels, "where party officials preside over traditional, often family-based fiefdoms."

Poor communication systems can also upset, stall, or complicate application procedures, and the long distances some Amerasians must travel from distant provinces to Ho Chi Minh City for interviews by U.S. ODP officials can be prohibitively expensive.

AMERASIAN ACT MAY ADMIT 30,000 BY 1990

The Amerasian Homecoming Act, passed in December 1987, provides for the admission of Amerasians and accompanying family members for a two-year period beginning March 21, 1988. Defined by law as anyone born in Vietnam after January 1962 and before January 1, 1976 whose father was a U.S. citizen, Amerasians and their relatives enter the country with immigrant status but with full refugee benefits.

Processing of Amerasian applications is handled by the U.S. Orderly Departure Program (ODP) office in Bangkok, which is staffed by employees of the U.S. embassy and the International Catholic Migration Commission. ODP teams travel to Ho Chi Minh City every few weeks to interview applicants.

Since September 1982, more than 11,000 Amerasians and close relatives have left Vietnam through ODP. Estimates of the total number who might move by March 1990 run as high as 30,000, with up to 12,000 expected in FY 89. From September to December, ODP officials say, about 9,500 Amerasians will be interviewed. Amerasian admissions do not count against the annual refugee admissions ceiling for ODP (set at 8,500 in FY 88).

The Senate and House FY 89 appropriations bills for refugee migration and assistance both include earmarks of $15 million for the Amerasian program. With admissions costs averaging just under $2,000 per refugee, additional money will be needed to admit 12,000 Amerasians in FY 89, but sources in Congress are confident that this will be available through use of existing funding or through supplemental appropriations.

Information on specific Amerasian cases should be addressed to: Orderly Departure Program, American Embassy, Box 58, APO San Francisco 96346-0001. Persons wishing to assist in the resettlement of Amerasians should contact: InterAction, 200 Park Avenue South, New York NY 10003, (212) 777-8210.

And, even when they can afford the trip after families have borrowed or scraped money together, problems can arise. One Amerasian in a faraway province who was given two days' notice to be present for a Ho Chi Minh City interview (a parent blames Vietnamese and U.S. tardiness for the delayed notification) made the trip under trying circumstances only to arrive too late. For several nights, the child had to sleep at a bus station until her U.S. family could get her into a hotel to await the next round of interviewing one month later.

Processing Problems Exist on U.S. Side, As Well Reportedly, only five percent of the approximately 7,000 Amerasians and family members interviewed by U.S. officials since last October have been rejected; however, there are a number of cases where Amerasians with interested, loving parents in the United States are satisfying Vietnamese requirements, but are running into trouble with their U.S. counterparts.

According to one such Amerasian's father--a man who did two U.S. military tours during the war--his boy was left in Vietnam in the early 1970s only because U.S. Embassy staff reversed themselves at the last minute, rejected the child's papers, and stopped his exit from the country when his family tried to take him to the United States. The father talks critically of U.S. treatment of the case, after years of intense efforts by his family to bring their son to this country.

"I have four cabinet drawers full of papers I've filed," he complains to illustrate the bureaucractic demand he has tried to meet.

Helped by the Amerasian Registry, a San Jose, California, organization that fosters reunifications, these sorts of cases have received wide publicity in recent months and a degree of Congressional attention. For example, Claiborne Pell (D-R.I.), chairman of the Senate Foreign Relations Committee, wrote Secretary of State George Shultz on June 20 urging him to help keep U.S. documentation requirements to a minimum.

"If we don't act soon," Pell told Shultz, "Amerasians will get older and older (many are already past teenage), making their adjustment in the U.S. more difficult."

In July, the State Department appointed staff to troubleshoot queries and complaints about Amerasian processing. [Inquiries can

Poverty is a large part of life for many Vietnamese. Per-capita income is $180 annually, among the lowest in the world. *Cerquone*

be made to Ricky Gold or Dan Sullivan (202) 663-1073].

For Some, the Streets Are Still Home

Observers in Vietnam say that the population of street Amerasians in Ho Chi Minh City is down and, in fact, visitors do not see many children loitering around the better hotels.

However, one place is a gathering point for them--a park across the street from the Vietnamese Orderly Departure Office. Among the most desperate of the Amerasians, the children hang out in the park along with several women who say they have Amerasian children.

One of the women, Loi, who says she had four Amerasians by two Americans, indicates that her children won't feel fulfilled until they have some sort of connection with their fathers. "Tell him (the father) that his girlfriend wants the children to have good feelings about Daddy," she says. "I always tell them 'Daddy is very good,' that 'Daddy loves you.'"

In almost flawless English, another woman, Suong, explains that she and Khoa, her Amerasian son, barely get by selling bread and living in a small hut. Conditions for her are a far cry from the time when she lived with an American for four years. "Please don't leave these kids here," Suong pleads. "I want my son to have a better future."

According to the women, some are homeless, and they say their children can't get decent jobs or education in Vietnam because they are of mixed heritage. Some considered trying to leave Vietnam illegally, but they can't afford an escape organizer's asking price. Some contend that Amerasian children have been sold to people who think Amerasians are a ticket to the United States.

The outspoken women overshadow the children who stand nearby. A girl silently holds a letter from an American woman in California who writes that she is frustrated by her inability to care for the girl, her teenage Amerasian grand-daughter.

"I pray you are in good health. There has been much tragedy and illness here," the woman says. "We understand it requires thousands of dollars to have one person come here from Vietnam." Then, she adds, "If I had not wanted to help you, I would not have made the effort to locate you."

What Is The Hold Up? The scene in the park raises a question: since all of these people claim they registered with the government of Vietnam to leave years ago, and all are within the eyesight of authorities who say they favor departures, what blocks their exits--especially since U.S. authorities have complained in the past that Vietnam wasn't producing enough children for interviews?

Answers vary. According to Vice Minister Tran Quang Co, a sense of fairness prevents his government from focussing "special treatment" on any one group, be they Ho Chi Minh City street-Amerasians, or the 60-odd children in Vietnam who--according to the U.S. State Department--have American citizenship papers and are a U.S. processing priority.

But for people in the park like Loi, there is another, simpler answer. "Money makes paper," she declares repeatedly to the firm nods of her peers. Loi's point: bribery is the only way to gain the right documentation and treatment to exit Vietnam legally.

Other reasons are offered. One source speculates that Hanoi may want to keep a certain number of children on the street to keep media focussed on the Amerasian issue. Another indicates Vietnam is deliberately dragging its feet on citizenship cases because it fears that U.S. commitment to an Amerasian program will wane soon after the cases are allowed to leave.

Vietnamese officials do make it clear in discussions that they regard the bilateral Amerasian program as a highly important form of outreach to the United States, one of the very few that has worked, and a key ingredient in their overall foreign policy.

Amerasians Seen Throughout Ho Chi Minh City Elsewhere in Ho Chi Minh City, Amerasians and their families can easily and literally be stumbled upon. Visitors suddenly met one girl who emerged from darkness as they searched one evening for a restaurant. A frustrated, would-be emigre, the girl hangs around Tan Sun Nhat airport, the place where U.S. ODP officials conduct interviews. Another girl with distinctly Amerasian features huddled with beggars in Cholon, the Chinese section of the city, a good distance from places where Amerasian

Vietnam has a young population and an exploding birth rate. These boys are on the beach at Quit Nhon, a city with 47,000 school-aged children--more than triple the number in 1975. *Cerquone*

children are normally seen.

Other journalists tell of seeing Amerasians. One is described as pregnant and working in a market in Ho Chi Minh City. Another is found on the beaches of the resort area of Vung Tau. Long unsuccessful at getting out of Vietnam, she is reportedly becoming ambivalent about leaving.

Mothers like Loi and Suong have counterparts in other places, too. One woman walks the streets of Ho Chi Minh City holding a photo of her ex-lover to her chest. She trails after Americans as they walk about and shop, and will follow them into the better stores to plead her case. Then, too, there is the woman who says in broken English that she is the mother of an Amerasian, had been too sick to care for her child, and was forced by illness to ask a friend to serve as a surrogate mother. The friend is now trying to sell the child, the woman says, adding that her American boyfriend of long ago must return to get things straightened out. "Tell Steve to come to Vietnam," she pleads over and over again.

Progress in Processing Doesn't Mean Departing In mid-summer, U.S. State Department officials were cautiously optimistic about the future of Amerasian emigration, noting that Hanoi had taken the unprecedented step of providing 10,000-12,000 new names in recent months for processing (some are possibly duplicates) In fact, Washington was so encouraged that it was contacting Vietnamese officials about getting permission to increase its interview trips to Vietnam. Between the beginning of FY 88 last October and this month, eight such trips had been made. Moreover, a new team of medical personnel assigned specifically to Amerasians is now said to be in place in Vietnam, another development which is expected to expedite processing.

Actually moving the Amerasians out of Vietnam is harder. Only 1,600 Amerasian children and family members had departed the country during the first nine months of FY 88, and that has been the case even though several thousand people, most of whom are believed to have exit permits, have already been approved by the United States.

Part of the hold up appears to be a transportation problem. Reportedly, Hanoi wants Air Vietnam, its national line, to have the job of taking Amerasians from the country. However, U.S. officials are balking at that proposal, saying that the carrier would be inadequate for moving a significant number of children and unsafe.

Another disagreement revolves around plans for simplifying and easing Amerasian processing. Most recently, Hanoi sent Washington a budget plan for establishing a Ho Chi Minh City processing center. The State Department had yet to respond to the proposal as of August, but it reportedly has considered previous money requests made by Vietnam to be excessive.

Hanoi officials say they are receptive to hearing from private American organizations with proposals for facilitating processing, and in fact, one group--the Pearl S. Buck Foundation--has already taken up that offer. But Vietnamese authorities appear interested in controlling anything which might be undertaken, and, more specifically, in keeping it under the supervision of the Foreign Ministry.

Meanwhile, Amerasian advocates in the United States caution that professionals knowledgeable in social services and other fields need to have leading roles in activities such as census taking and running a processing center if outside assistance is to be worthwhile.

Finally, new hopes for Amerasians exist amidst the uncertainty of relations between the United States and Vietnam. Sobering news broke this month when Vietnam suspended cooperation with the United States on several humanitarian issues. According to Stephen D. Goose, a spokesman for Rep. Bob Mrazek (D-N.Y.), the chief sponsor of the Amerasian Homecoming Act, the development is expected to affect the American POW/MIA issue and the fate of Vietnamese re-education prisoners, but not Amerasians.

Yet, such actions clearly won't help, either. And it remains to be seen how deeply such moves in the coming months will touch Amerasians and their relatives from Qui Nhon to Ho Chi Minh City, the mothers in the park, and the girl with a letter from her grandmother in California.

Update

° Vietnam has announced that it is willing to take back refugees who wish to return home and to expand opportunities for legal migration, according to a UN official who returned from a visit to Hanoi on August 1. "I have been assured that [boat people] will not be arrested on return and put into re-education camps," Sergio Viera de Mello, head of the Asia office of the UN High Commissioner for Refugees (UNHCR), said in an interview in Geneva. The UNHCR would assist the returnees in their reintegration both by providing international aid and by monitoring their status, he said.

"The Vietnamese government and the UNHCR agree that in order to reduce the boat people phenomenon, there must be an increase in legal departures," de Mello said. Since 1980, more than 135,000 refugees and immigrants have left Vietnam directly for resettlement countries via the Orderly Departure Program (ODP), including 63,000 to the United States. "But these figures are insufficient," said de Mello, "and for ODP to become the only channel out of the country, the pace has to quicken."

Meanwhile, on July 16, Vietnam announced that it will allow more than 50,000 former political prisoners and their families to leave for the United States. "Both sides are hopeful that the processing of released detainees can begin within the next several months," the Vietnam News Agency reported, following two days of talks in Hanoi between Deputy Foreign Minister Tran Quang Co and Deputy Assistant Secretary of State Robert L. Funseth.

In early August, however, the Vietnamese suspended cooperation with the United States in locating the remains of missing-in-action (MIAs), according the The Washington Post. The move was seen by knowledgeable sources as a setback for initiatives on political prisoners, possibly for the duration of the Reagan Administration.

° On July 20, Thailand announced that any of Khao I Dang refugee camp's 17,000 Cambodian residents who have not been accepted for resettlement by August 31 will be moved to a new site on the Thai-Cambodian border, where they will be barred from resettlement, according to a report in The Nation, a Bangkok-based English language newspaper.

The same deadline will apply to 4,000 "land Vietnamese," so called because they entered Thailand by way of an overland route through Cambodia. Both the Cambodian and Vietnamese groups will be transferred to Ban

Ban Thad, a new facility that was built to house newly arriving boat Vietnamese who, since January, have also been denied access to resettlement. Ban Ban Thad is just south of Site 2, with a population of 160,000 Cambodians and the land Vietnamese.

Khao I Dang was formally closed to new arrivals in January 1987, but international resettlement processing has continued to be available for the legal residents of the camp, numbering 15,869 as of June. An estimated 3,000 Cambodians are living in the camp illegally, according to a senior Thai official, who said that they too will be moved to Ban Ban Thad.

o The level of violence against Vietnamese boat refugees in Southeast Asia has risen dramatically in the last year, according to UN sources. Comparing the first half of 1987 with the first half of 1988, the number of dead and missing increased from 9 to 165, and the number of rapes and abductions increased from 57 to 116. Most of the violence is still attributed to piracy in the Gulf of Thailand.

Meanwhile, Vietnamese boat people continue to arrive in the region at nearly double the rate of last year. From January to June 1988, 24,489 arrivals were counted in Southeast Asian asylum countries, according to the UNHCR. During the same period last year, 13,845 Vietnamese arrived.

Country	Arrivals 1987 (First Half)	Arrivals 1988 (First Half)
Thailand	5,372	4,198
Malaysia	4,090	8,236
Indonesia	896	780
Philippines	2,064	1,803
Hong Kong	1,000	9,197
Singapore	409	236
Japan	25	79
Others	3	0
TOTAL:	13,859	24,529

Hong Kong has experienced the largest number of boat arrivals in the region (see chart above). A senior government official has said that 4,500 Vietnamese reached Hong Kong in July alone, despite the British colony's new screening policy. As of June 16, all Vietnamese boat arrivals in Hong Kong must establish a "well-founded fear of persecution" in an interview with local immigration officials before they will be allowed to seek resettlement. Those who are screened out face detention until they return to Vietnam.

° A 37-year-old Salvadoran refugee in the Mesa Grande camp was murdered on July 25 in an allegedly unprovoked attack within the camp limits by Honduran military personnel, according to UNHCR sources. Members of the Honduran "territorial forces" reportedly attacked Jose Maria Ayala Leiya while he was farming. After being severely wounded, he was forced outside the camp perimeter, where soldiers shot him in the head at close range and smashed his skull.

The UNHCR is demanding a judicial investigation of the incident. Another Salvadoran refugee was similarly killed at the Colomoncagua camp on April 23 (see Refugee Reports, Vol. IX, No. 5).

° About 1,850 Salvadoran refugees in the Mesa Grande camp in Honduras are scheduled to repatriate voluntarily on August 13. They are planning to return to towns in the Chalatenango and Cabanas departments. If the repatriation goes forward as planned, the Mesa Grande camp population will be reduced to 3,786 refugees. Some 4,500 repatriated from Mesa Grande in October 1987 (see Refugee Reports, Vol. VIII, No. 10).

Another 9,550 refugees reside in Colomoncagua and San Antonio. As of August 1, 117 refugees from Colomoncagua had voluntarily repatriated on an individual basis in 1988, according to UNHCR.

As of the end of May, 7,904 refugees had voluntarily repatriated within Central America. Since the beginning of the year, 5,562 Nicaraguans, 1,582 Guatemalans, and 760 Salvadorans had returned to their home countries. For the whole of 1987, 4,065 Nicaraguans, 1,022 Guatemalans, and 5,848 Salvadorans repatriated, UNHCR reported.

° Nearly 100 Salvadoran refugees have held two hunger strikes this summer to protest lack of protection and poor living conditions. Fifty refugees, in Colomoncagua and San Antonio, started a hunger strike on June 29, which lasted nearly a month, and another 35 refugees in Mesa Grande held a hunger strike from June 17-23.

In a statement released on June 25 in response to the refugees' demands, UNHCR/ Honduras defended its actions. Some of the tension between UNHCR and the refugee population stemmed from an incident on May 25 in which a group of refugees forcibly opposed a voluntary repatriation operation. At the time, UNHCR removed its staff from the camp for several hours.

The June 25 statement reiterated UNHCR's commitment to "individually consented voluntary repatriation," and also to remain in the camps "day and night". UNHCR also defended its levels of food, water, and medical assistance. It said, "UNHCR firmly reiterates that it has never and will never make cuts in the food diet to pressure refugees to voluntarily repatriate."

° The International Council of Voluntary Agencies (ICVA) sent a team to Salvadoran refugee camps in Honduras June 11-18 to study the situation and make recommendations. The mission reported, "As a result of the tense and closed situation in which the refugees live, there is a real distrust of UNHCR. Moreover, the refugees frequently linked UNHCR to the Honduran military and to the U.S. embassy, all of which are considered to be hostile to their cause." The report also noted even greater distrust between UNHCR and voluntary agency personnel.

The ICVA mission recommended, among other things, that Honduras cease harassment of the refugees by its military forces, especially the "territorial forces." It opposed any relocation of Salvadoran refugee camps to other sites within Honduras. It urged UNHCR to reinforce protection measures and to recognize the refugees' request for 24-hour protection. It said, "The mission recognizes and fully supports UNHCR's responsibility for repatriating individual refugees upon their request." However, it urged that "the practice of repatriating refugees during the night be limited as much as possible," since it is insensitive to the refugees' feelings.

The mission called on voluntary agency personnel to promote refugees' understanding of UNHCR and to strengthen collaboration among the refugees, UNHCR, and the agencies. It urged agency workers not to "engage in public denunciation of UNHCR through advertisements in the press." The mission called on the refugees themselves to "recognize the advantages of dialogue and cooperation," and also to be attentive to safeguarding the right of individuals to voluntarily repatriate.

° On July 22, the Canadian Parliament approved two controversial bills (C-55 and C-84) that will restrict access of asylum seekers to Canada's refugee determination process. The new laws allow the Canadian government to pre-screen asylum applicants' eligibility and credibility before their cases can be heard. Grounds for exclusion include existence of "safe countries" through which prospective refugees passed before entering Canada, and to which they would be deported (see Refugee Reports, Vol. VIII, No. 6).

The new laws also include heavy fines and jail terms for those involved in assisting undocumented aliens to enter Canada illegally.

Recent Developments

CUBAN-AMERICANS BECOME FIRST GROUP TO SPONSOR REFUGEE ADMISSIONS PRIVATELY

The Cuban American National Foundation (CANF) will privately sponsor 500 to 600 refugees for admission to the United States this fiscal year, the first group in modern times to sponsor refugee admissions to the United States without federal funding.

CANF signed an agreement with the government on June 13 at a White House ceremony attended by Vice President George Bush.

CANF had proposed to admit up to 1,500 Cuban refugees in Panama, Costa Rica, Peru, Venezuela, and Spain, but the program started later than anticipated, so the full number will not be reached this year.

The Cubans who will be eligible for private sponsorship are those who left Cuba before January 1, 1988 and who have lived in these other countries since then. The Cubans in Central America live in "horrible conditions," according to Robert Torricella of CANF in Miami. They have not been allowed to work or to avail themselves of public services such as education and health care, and are maintained financially by relatives in the United States. "It has been very tough on the families here," he said.

Five years ago, CANF set up the Cuban Exodus Relief Fund in order to support Cubans in these third countries, according to Francisco Hernandez, director of CANF and president of the Cuban Exodus Relief Fund. The project has raised $2.5 to $3 million to support needy families and provide scholarships to Cuban children in exile, he said.

"We have been working on this [Private Sector Initiative] program for more than two years now," Hernandez said. "Throughout all these months we have discussed and analyzed again and again the responsibilities. I am confident that it will be a success."

Volags Pose Questions on Private Sponsorship The Private Sector Initiative (PSI) dates back to the Presidential Determination of October 17, 1986 formalizing the approval of 4,000 refugee admissions places in FY 87 as a special reserve to be used "upon the availability of private sector funding sufficient to cover the essential and reasonable costs of such admissions."

None of the 4,000 approved admissions places for the PSI were utilized in FY 87, and the major voluntary agencies involved in refugee resettlement have questioned various aspects of the program.

"The whole structure of refugee services is based on a combination of private and public support," said Wells Klein, executive director of the American Council for Nationalities Service (ACNS) and chairman of the Subcommittee on Domestic Concerns of InterAction's Migration and Refugee Committee. "When you take away the public support, it becomes very difficult to wend your way through all the difficulties of providing adequate care at a reasonable cost."

Fr. Richard Ryscavage, S.J., deputy director of Migration and Refugee Services of the U.S. Catholic Conference, a voluntary agency with long experience in resettling Cuban refugees, said that "the problem of starting a new program will be its financial basis."

The private sponsor, he said, will be responsible for "practically everything," and will end up "paying all kinds of costs." He pointed out the "incredible" liabilities on medical coverage as an example of costs that might not be fully anticipated in a "start up" program.

Ryscavage also expressed concern about how "a straight advocacy group can set up a social service structure" to provide full resettlement services.

Hernandez said that CANF has been working closely with Ayuda, Inc., a local Miami social service agency, for the past several years to help Cuban refugees. He said that each privately sponsored refugee will have a "relative, friend, or private corporation" as a sponsor, will have a job available, and a medical insurance policy paid six months in advance before they will be given travel documents.

Mario Portuondo, assistant executive director of CANF, who works in Washington, D.C., described CANF as a "think tank going into the refugee business." He said, "We publish monographs on Cuba. We have no background in social services."

In Miami, however, Torricella, who is the assistant to the project director, said that "the response of the community has been very favorable." CANF is working on a comprehensive medical plan, he said, and is having success lining up potential employers and family members willing to help.

Interest, Obstacles in Expanding Private Sponsorship A May 24 information paper from the Office of the U.S. Coordinator for Refugee Affairs on the CANF's Private Sector Initiative said that there is currently "strong interest" from several other nongovernmental groups in private sponsorship. But, it said, "there are still major obstacles standing between possibly successful tests and full use of the 4,000 numbers, much less the permanent private sponsorship program some of us would like to see in this country."

Among those obstacles is a lack of any federal funding to cover administrative costs of potential private sponsoring groups. "The program will never get beyond small tests if we don't come up with some walking around money" to cover the costs of groups working with volunteer networks to sponsor refugees, a federal official said.

Although interest in the PSI has been expressed from a variety of groups and individuals, according to a government source who works closely with the program, so far the strongest candidates for actually getting private sponsorship projects off the ground have been well-endowed private organizations that have an interest in a particular refugee group, often related to the sponsoring group by close ethnic or family ties.

"It raises a question of equity," said Ryscavage. "Certain wealthy communities can do it. Others can't."

Klein added, "Since there are far more refugees in the world who could benefit from resettlement than available openings, we are forced to make a Solomon-like judgment on who we bring in."

"The danger of private sponsorship," he said, "is that certain refugees will be bought into this country solely because particular interest or affinity groups are willing to pay for these specific people while others in greater need are simply left out. As in the case of these Cuban admissions, it belies the intent of the Refugee Act and every sense of equity. It sets a very dangerous precedent."

A State Department source said that the government is working to prevent the initiative from becoming a "buy your refugee" program. "We are especially interested," he said, "in proposals which offer to resettle some unknown refugees who are financially needy."

The State Department source added that "we have agreed that a significant percentage [of the Cubans being sponsored by the CANF] be non-family, non-friend reunion cases."

Looking beyond the current Cuban caseload, the State Department source said, "We want to look for refugee candidates from nationalities we are already processing in the regular program." He said the refugee groups under most active consideration are refugees approved for U.S. admission who are now in long waiting lines, such as certain East European nationalities waiting in Western Europe.

Another concern that has been expressed in some voluntary agency circles is that the PSI could result in a lessening of government commitment towards refugee admissions.

"It could be an easy way out for the government," said Ryscavage, "to let private sponsorship substitute for government commitment instead of complementing it." He termed this a "remote danger," but one that "needs to be faced straightforwardly."

A government source said, "We are deadly serious that this is a way to get more refugees in."

STATE DEPARTMENT RESUMES LIMITED REFUGEE PROCESSING FROM SOVIET UNION

Less than two weeks after suspending refugee processing from the Soviet Union for the remainder of the fiscal year, the State Department partially reversed itself and allowed an additional 400 people to emigrate to the United States. But unless additional government funding is found, State Department officials say, the remaining 3,000 Soviets--primarily Armenians--affected by the suspension will either have to enter the country through private financing or wait until October 1, when new funds will become available.

A surge this past year in refugee applications from Armenians and Jews in the Soviet Union forced the Administration to double the FY 88 admissions ceiling for Eastern Europe and the Soviet Union from 15,000 to 30,000. The overall budget for refugee admissions, however, remained at $119.5 million. When the State Department temporarily halted visa interviewing in Moscow on July 4, citing budgetary constraints, the move was met with protests from Congress and private voluntary organizations. (see Refugee Reports, Vol. IX, No. 7)

State Department Seeks Privately Financed Admissions for Some Soviets Acknowledging the "desperate straits of many of those who were caught unaware by our postponement action," a State Department report said, "We have managed to squeeze out roughly one half million dollars from the refugee budget" to process about 400 people who had been scheduled interviews between July 5 and July 8. For the remaining 3,000, "departure between now and October 1 will depend on funding from private sources--from families themselves, from their relatives in the United States, or from private voluntary organizations."

"We are going to have a private sector plan," said Don Krumm, an official with the State Department's Bureau for Refugee Programs. He told Refugee Reports that the Immigration and Naturalization Service (INS) and the State Department were working on a plan to notify potential American sponsors asking them to file an affidavit of support for their Soviet relative. Some time before the end of August, Krumm said, an INS officer will be stationed in Moscow to interview applicants for refugee status. Those who are approved as refugees will be responsible for funding their own entry into the United States, particularly transportation costs, but will be eligible for domestic resettlement benefits. Persons rejected for refugee status will enter as immigrants or possibly with parole status.

"On the technical level, I can understand why the Administration is doing this," Karl Zukerman, executive director of the Hebrew Immigrant Aid Society (HIAS), told Refugee Reports. "But having created the crisis, they might well have waited to see about supplemental funding. Private citizens may be spending money they don't need to spend."

Zukerman opposed the idea of INS refugee interviewing in Moscow. "First of all," he said, "people will be reluctant to speak freely inside the Soviet Union, no matter who they are talking to." Soviet Jews, in particular, may be unwilling to cite specific examples of persecution and discrimination. "Second, our agency cannot represent or counsel refugees in the Soviet Union," said Zukerman. HIAS provides these services once Soviet Jews have left the USSR and reached transit points in Rome or Vienna, where, up until now, INS interviewing has taken place. "The potential for damage to Soviet Jewish interests is great," he said.

Congress Passes Emergency Supplemental Funding The House of Representatives already has passed a dire emergency supplemental appropriations bill (H.R. 5026), providing an additional $24 million for emergency refugee migration and assistance in FY 88. Of this, $6 million would cover admissions of another 3,000 Soviet refugees, and the remaining $18 million would supplement overseas assistance programs, primarily in Africa.

The Senate version of the bill did not include supplemental refugee funding, as the sum would have exceeded budget authorities under the Budget Act. When the two houses of Congress met in conference committee to reconcile the different versions of the bill, however, the Senate agreed to yield to the House on the refugee funding. As of August 12, the bill was awaiting the President's signature, according to government sources.

JUSTICE DEPARTMENT PROPOSES LIMITING THE SCOPE OF ASYLUM HEARINGS IN SOME DEPORTATION PROCEEDINGS

A revision in asylum procedure allowing immigration judges to limit the scope of evidentiary hearings on certain asylum claims in exclusion or deportation proceedings has been proposed by the Justice Department in the July 27 Federal Register.

If an asylum applicant had "participated in the persecution" of others, committed a "serious crime" in the United States, or poses a "danger to the security of the United States," immigration judges would not need to consider evidence of the applicant's fear of persecution if returned to his home country.

The proposed regulation would permit immigration judges only to consider evidence about whether the asylum applicant facing deportation or exclusion committed a "serious crime" or one of the other grounds for excluding withholding of deportation.

"The main problem arises in those cases where the refugee committed a significant offense in the United States, such as a burglary, assault, or weapons possession, and, after serving any sentence imposed, would be returned to the home country to face serious persecution," said Arthur Helton, director of the Political Asylum Project of the Lawyers Committee for Human Rights.

"To deny refugee protection," said Helton, "in such cases would be disproportionate and contrary to international refugee law which requires that the gravity of the offense be balanced against the gravity of the persecution feared. Where a threat to life or freedom is involved, only the most serious of felonies should render a refugee unworthy of protection."

The regulation was proposed in response to an eleventh circuit court of appeals case, Arauz V. Rivkind, in which the court concluded that an immigration judge had erred in refusing to take evidence on the likelihood of persecution abroad of an alien who had been convicted in the United States of conspiracy to possess with intent to distribute marijuana.

INS ORDERED TO RELEASE CHILDREN TO THEIR PARENTS OR OTHER RESPONSIBLE ADULTS

The Western Region of the Immigration and Naturalization Service (INS) was ordered by a California federal court judge to release any child under its detention to his parent, guardian, or "other responsible adult party," if the child is otherwise eligible for release on bond or recognizance.

The May 24 ruling by Judge Robert J. Kelleher of the Central District of California also stipulated that any minor taken into INS custody must be afforded a hearing to determine probable cause for his arrest and on the need for any restrictions placed on his release.

The decision represents the final order in a three-year class action suit, Flores v. Meese, challenging the practice in INS's Western Region of refusing to release juveniles on bail unless a parent or legal guardian personally appeared to take custody of them (see Refugee Reports, Vol. V, Nos. 19 and 20, and Vol. IX, No. 7).

The suit termed the INS policy a "thinly veiled device to apprehend the [undocumented] parents of incarcerated juveniles and to punish children for allegedly having entered the United States without lawful authority."

Jenny Flores, a 15-year-old Salvadoran, was arrested by INS agents in 1985. Although not charged with having committed any crime, she was found deportable for having entered the country illegally. Although she was able to post bond, the INS refused to release Flores from detention to an adult other than her parent. Her mother, the suit said, refused to appear before INS agents to accept custody of her daughter because "she fears she will be taken into custody and deported to El Salvador, where a civil war currently exists."

Flores remained in detention for two months; she shared sleeping quarters with twelve unrelated women, five of whom were adults.

"This court order will end the nightmare for many recently arrived immigrant and refugee children who have, until now, been jailed with unrelated adults in conditions which shock the conscience," said Carlos Holguin of the National Center for Immigrants' Rights and lead counsel in the case.

Holguin said, "These children will no longer be held as 'bait' to force the surrender of their undocumented parents. They are not criminals and many have suffered great trauma leaving home countries torn by civil war."

At the time of the judgment, William Odencrantz, western regional counsel for the INS, told the Los Angeles Herald Examiner, "We are very concerned with releasing kids to somebody who is a 'responsible adult'. I guess [Judge Kelleher] doesn't have as much concern about making those determinations as we do."

The court order only applies to the INS Western Region. Recent INS regulations on the detention and release of juveniles only allow parents to designate other responsible adults to assume custody of their children in rare circumstances (see Refugee Reports, Vol. VIII, No. 11).

Current Research

SENATE STAFF REPORTS ON AFGHAN REPATRIATION PROSPECTS

Afghan refugees are not likely to return suddenly, but only after a realistic assessment of the situation in their homeland, according to a recently released Senate staff report.

"Afghanistan: Peace or Repatriation?" was prepared by a bipartisan team from the staff of the Senate Subcommittee on Immigration and Refugee Affairs based on a week-long "snap-shot" view of the situation in Pakistan in early April.

The report takes a relatively optimistic view of the prospects for an orderly repatriation, but notes that the return (including refugees from Iran as well as Pakistan, and also internally displaced persons) will involve nearly 45 percent of Afghanistan's population. "In per-capita terms," the report observes, "the Afghan repatriation could be one of the world's largest."

It also notes that "the obstacles to the establishment of a repatriation, resettlement, and rehabilitation infrastructure within Afghanistan are extraordinarily serious."

Among the difficulties cited were "a vast array of land mines and other unexploded ordnance," war damage to roads and irrigation, as well as the uncertain political situation.

Nevertheless, the report suggests that the refugees are well aware of the situation within Afghanistan and will not return prematurely. It predicts that "many families will be able to reintegrate successfully on their own without massive assistance."

On the positive side, it notes that as many as 80 percent of the refugees are within 250 kilometers of the Pakistan border and that many "will be able simply to walk home." The agrarian background of some 90 percent of the refugees will also limit the cost of housing, jobs, and other support usually associated with urban refugee populations, the report suggests.

The report also expresses strong confidence in the expertise of UN, Pakistani, and voluntary agency relief personnel currently operating in Pakistan and says that their programs "can easily be transformed from relief to repatriation."

U.S. Leverage "Extremely Limited" The report makes several policy recommendations to the U.S. government, all of which call for maintaining flexibility to accommodate any of the possible future outcomes in Afghanistan.

It warns the United States not to make the same mistake that "haunted the Soviet Union for nine years"--for an outside power to think it can determine winners and losers within Afghanistan.

"The United States should recognize its limited ability to affect the situation inside Afghanistan and should understand that whatever influence and leverage the United States can exercise with the Afghans is, at best, attenuated." The report warns, "For that reason, the United States should take care that it not become identified with one Afghan faction over any of the others."

The report suggests that "the way in which the United States distributes its assistance to the Afghans in the future--which Afghans receive the aid, how and from whom--is a problem that deserves serious attention."

"It may well be wise, at this point," the report recommends, "to multi-lateralize our cross-border AID operation so that other nations--e.g., Saudi Arabia, Pakistan, China,--are also involved in this effort."

Successful Repatriation Depends on Rehabilitation While the report gives high marks to the existing network of support for refugees in Pakistan, it warns that the international community must be prepared to face far greater difficulties within war-torn Afghanistan.

Basic rehabilitation assistance within Afghanistan--such as the provision of transitional food supplies, seeds and farm implements, medicines, public health and logistical support--were found to be "essential" for a safe return. The report suggests that meeting these basic needs for returnees in Afghanistan "will be the greatest challenge facing the repatriation effort."

CITIZENS COMMISSION REPORTS ON AFGHAN REFUGEES

A Citizens Commission on Afghan Refugees, convened by the International Rescue Committee, has issued a report on the situation of Afghan refugees in Pakistan and on the prospects and problems of their repatriation.

Lionel H. Olmer, chairman of the Commission, told the Senate Foreign Relations Committee on June 23 that the words "hope and anticipation" characterized the current refugee situation in Pakistan.

The Commission listed three "absolute preconditions" for a safe return:

1) Physical security--"they will not return without a reasonable assurance that large-scale military operations have termi-

nated (and will not be reinitiated; a protracted civil war after the departure of Soviet troops would stall repatriation). In addition, steps must be taken to deal with the estimated 3 to 5 million anti-personnel mines placed by Soviet forces in roads and fields."

2) Food and water--sustenance will be needed not only to sustain returning refugees, but they will need help in rebuilding farms and irrigation systems.

3) Basic health care--the threshold level of health care in the refugee camps in Pakistan "must be moved from the camps into Afghanistan as the refugees return."

Afghan Women at Risk The Commission report gives detailed attention to health care issues, much of which relate specifically to Afghan women. The report notes that the birth rate in Pakistani refugee camps is the highest recorded in the world, 400 per thousand. It further estimates that 90 percent of Afghan women are illiterate.

"The teaching of modern medical practices," the report states, "is impeded by the low literacy rate and the isolation of women.... The serious shortage of women skilled in primary care and birthing techniques is compounded by the unwillingness of many women to be treated by men and/or the refusal of their husbands to permit it."

Despite the problems, the report cited studies showing that the health of Afghan refugees inside Pakistan is improving. However, the report warns, without continuing to provide adequate food, safe water, and basic health services, "the health status of returning refugees could rapidly deteriorate."

"It is no exaggeration to say that there exists the potential for a real medical disaster," the report said.

AFGHAN AGRICULTURAL SURVEY SHOWS WIDESPREAD DEVASTATION

The most comprehensive survey ever undertaken of Afghanistan's agriculture shows that food production has dropped to 45 percent, at the most, of the levels prior to the 1979 Soviet invasion.

The survey, implemented by the Swedish Committee for Afghanistan, found that one-third of all farms in the 80 percent of the country controlled by the Mujahedin had been abandoned. Production on the remaining farms had fallen by 50 percent since 1978.

By 1987, the survey found, the numbers of cattle had dropped by 55 percent, sheep and goats by 66 percent, and horses by 45 percent. "Many animals were shot by troops and helicopter gunships of the Kabul regime, or blown up by landmines," the report noted.

"This is the largest and most comprehensive survey ever conducted of agriculture in Afghanistan," said Dr. Azam Gul, director of the survey, and former chairman of the Department of Agronomy at Kabul University. "We wanted to expose the largely unreported war which is continuing against the agricultural system there, and at the same time to provide the basic information needed for relief and rehabilitation in the country."

The survey was based on interviews with 20,000 farm family households and nearly 800 communities throughout Afghanistan (although only about half of the interviews were entered into the database).

Interviews were conducted both in Pakistan refugee camps as well as rural areas controlled by the Mujahedin. The report found that refugee farmers, on the whole, were wealthier than those who stayed behind. They had owned more land and livestock before the Soviet invasion than their resident counterparts.

The report observed that successful repatriation of refugee farmers "should take place over a period of years rather than months." It also recommended that repatriation and post-conflict reconstruction efforts "should be tailored to the characteristics of provinces, districts, even individual valleys."

Reader Exchange

The Office of Refugee Resettlement in the Department of Health and Human Services has a new address in Washington, DC. The new mailing address is: Office of Refugee Resettlement, Family Support Administration, DHHS 370 L'Enfant Promenade, S.W., 6th Floor, Washington, D.C. 20447. ORR's new telephone number is (202) 252-4545.

INDOCHINESE REFUGEE ACTIVITY
Camp Populations By Ethnic Group
Monthly Report for May 1988

COUNTRY	CAMP	LAO	HIGHLAND	KHMER	VIETNAMESE	TOTAL
HONG KONG	Argyle St. Camp 3	0	0	0	573	573
	Argyle St. Camp 4	0	0	0	1,237	1,237
	Cape Collinson	0	0	0	579	579
	Chi Ma Wan	0	0	0	2,284	2,284
	Green Island	0	0	0	600	600
	Hei Ling Chau	0	0	0	2,895	2,895
	Kai Tak North	0	0	0	2,702	2,702
	Sham Sui Po	0	0	0	504	504
	Tuen Mun	0	0	0	2,291	2,291
	Victoria Remand Cen.	0	0	0	35	35
	SUBTOTAL	0	0	0	13,700	13,700
INDONESIA	Galang--1st Asylum	0	0	0	1,668	1,668
	Hawkins Road	0	0	118	0	118
	Outer Islands	0	0	0	96	96
	SUBTOTAL	0	0	118	1,764	1,882
MALAYSIA	Pulau Bidong	0	0	0	9,770	9,770
	Sungei Besi	0	0	0	3,509	3,509
	SUBTOTAL	0	0	0	13,279	13,279
PHILIPPINES	Bataan ODP	0	0	0	4,100	4,100
	Bataan RPC	905	0	2,168	6,719	9,792
	Palawan	0	0	0	3,250	3,250
	PRTC	0	0	0	180	180
	SUBTOTAL	905	0	2,168	14,249	17,322
THAILAND	Ban Nam Yao	0	1,783	0	0	1,783
	Ban Vinai	255	34,448	0	0	34,703
	Bangkok Transit	12	20	55	30	117
	Chiang Kham	105	17,441	0	0	17,546
	Kapcherng	0	0	1,141	0	1,141
	Khao I Dang	0	0	15,869	0	15,869
	Napho	17,968	704	0	0	18,672
	Phanat Nikhom RPC	78	7,247	550	0	7,875
	Phanat Processing	1,873	845	2,542	12,356	17,616
	Phanat [illegible]	0	0	0	229	229
	SUBTOTAL	20,291	62,488	20,157	12,615	115,551
GRAND TOTAL		21,196	62,488	22,443	56,972	163,099

Source: Bureau for Refugee Programs, Department of State

REFUGEE REPORTS is published monthly for $28.00 per year for one subscription, $20.00 each for two or more subscriptions to the same addressee, or $20.00 each for ten or more subscriptions requested at the same time, mailed to separate addresses; overseas postage, $24.00 additional; by ACNS, 95 Madison Avenue, Third Floor, New York, NY 10016. Second Class Postage paid at New York and additional mailing offices. POSTMASTER: send address changes to *Refugee Reports*, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204.

Editorial comments and inquiries should be sent to: *Refugee Reports*, 815 Fifteenth Street NW, Suite 610, Washington, DC 20005. All communications regarding subscriptions should be sent to: Refugee Reports Subscriptions, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204, (615) 377-3322.

Basic subscription rate for 12 issues per year: $28.00; Multiple-copy rate: $20.00; Single copies of back issues: $2.50
Editor: Virginia Hamilton; Staff Writers: Bill Frelick, Court Robinson
Distribution Manager: Carolyn Moore; Production Coordinator: Koula Papanicolas
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Refugee Reports

A News Service of the U.S. Committee for Refugees, a Project of the American Council for Nationalities Service
Sunbelt Fulfillment Services
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Nashville, TN 37204

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Refugee Reports

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Volume IX, Number 9 September 9, 1988

SALVADORAN REFUGEES GOING HOME

Impeded by one protracted impasse after another, a convoy taking home Salvadoran refugees from the Mesa Grande camp in Honduras traveled in fits and starts. Finally, however, on August 14, the 35 buses and 115 trucks crossed the border into El Salvador, ending eight years of exile for 1,230 refugees.

Despite the frayed nerves of many participants in the repatriation, the refugees arrived safely and are now beginning to reconstruct their lives in their homeland.

Still, fears for their security persist. Within days of the repatriation, major American newspapers were documenting the resurgence of death squad activities in El Salvador and the prospects for an end to the civil war seemed remote.

The repatriation was timed to coincide with the first anniversary of the Arias Peace Plan, and follows the successful repatriation of more than 4,000 refugees from Mesa Grande last October (see Refugee Reports, Vol. VIII, No. 10). Prior to this mass organized repatriation, more than 400 refugees from Mesa Grande had individually repatriated this year, along with more than 100 from the Colomoncagua camp closer to the Salvadoran border.

Although Salvadorans are leaving the Honduran refugee camps, there is little indication that migration out of El Salvador has abated this year. In fact, a classified cable from the U.S. embassy in San Salvador in December 1987 reported that "illegal immigration to the United States is increasing" and has "risen back to 1984-86 levels," according to the New York Times.

Conditions in the Honduran refugee camps have been growing increasingly violent and tense in recent months, with three refugees attacked within the camps by Honduran soldiers in the past three months, resulting in two fatalities (see Refugee Reports, Vol. IX, Nos. 5 and 8).

Violence involving Honduran soldiers has also exacerbated tensions in and among the refugees and the agencies working on their behalf in the camps. Hunger strikes in June in Mesa Grande and Colomoncagua protested lack of protection and poor living conditions.

In June the International Council of Voluntary

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Repatriation Bus Stopped at Border. Photo Credit: Going Home

Agencies (ICVA) sent a team to investigate conditions in the camps. (See box, for a summary of its recommendations.) The ICVA report detected strains in relations between voluntary agency staff and United Nations High Commissioner for Refugees (UNHCR). UNHCR often feels "betrayed" by the voluntary agency staff, the report said, because they are "always seen to take sides with the refugees against it."

"Agency staff, on the other hand," the ICVA report said, "maintain that UNHCR does not always stand up adequately for the refugees vis-a-vis Honduran government pressures."

The refugees also feel these tensions. "As a result of the tense and closed situation in which the refugees live," the report said, "there is a real distrust of UNHCR. Moreover the refugees frequently linked UNHCR to the Honduran military and to the U.S. Embassy, all of which are considered to be hostile to their cause."

A Tense Atmosphere for Return In the highly charged political atmosphere in which the August 14 repatriation took place, accusations of bad faith, manipulation, naivete, stubbornness, and insensitivity were leveled, at one time or another, at nearly every group acting in this drama. These included the governments of Honduras, El Salvador, and the United States, and their military arms; the UNHCR; Salvadoran solidarity groups, such as CRIPDES, the Christian Committee for the Displaced of El Salvador, and CNR, the National Coordinator of Repatriation; private voluntary agencies working in the camps, Caritas, Catholic Relief Services, CEDEN, Medecins sans Frontieres, and the Mennonite Church; international--in this case, American--religious figures accompanying the refugees in a "Going Home" delegation; and the refugees themselves.

In this article, Refugee Reports seeks not to accord credit or blame, but rather to clarify some of the areas of controversy in the hope that this might help to resolve problems that could well present obstacles to safe and successful voluntary repatriation in the future.

Negotiations for Return On July 15, the refugees announced that a group of 2,500 from Mesa Grande would return to El Salvador sometime between August 10 and 20. They demanded that they be permitted to return as a community to their own places of origin in Teocinte and San Antonio Los Ranchos in the northern Chalatenango Department; to be allowed to bring their animals and possessions; not to be delayed at the border or on the way; to receive documentation; and to be accompanied by the UNHCR, private agencies, and international religious observers.

The initial response of the Salvadoran government, according to members of the Going Home delegation, was negative on all points. The government would only allow a maximum of 500 refugees to return at any one time at 30-to-40 day intervals; to quarantine them upon their arrival; to have them proceed to Hacienda Valle Verde and Seuchitoto (described by Going Home as military garrisons) where they would be questioned; and that only the UNHCR and the Red Cross would be allowed to accompany them across the border.

Every point was a matter of contention between the refugee leadership and representatives of the Salvadoran government, according to Going Home, with Salvadoran church figures and the UNHCR playing a mediating role.

According to Patricia Weiss-Fagen, spokesperson for the UNHCR in Washington, D.C., the general framework of the repatriation had been established prior to the first Mesa Grande return last October through tripartite negotiations involving the governments of El Salvador and Honduras, and UNHCR. She said that the contentious issues regarding the second repatriation were resolved in discussions with the Salvadoran government within the framework of the earlier agreement.

By the time the convoy was ready to leave Mesa Grande, she said, the Salvadoran government had agreed to almost all of the refugees' demands. This included agreement to allow refugees to return to their places of origin; to complete documentation of returning refugees as soon as possible; not to stop refugees at the border; to assist in health and education; and to allow the churches to provide material and spiritual assistance.

Salvadoran Government Fears Publicity, Says Repatriation Must Be "Nonpolitical" The major sticking point, from the point of view of the Salvadoran government, was to avoid a high-profile, political demonstration of support for the refugees. In particular, the government representatives objected to the presence of the American religious delegation accompanying the refugees, and also to another convoy carrying relief items and relatives and supporters coming from San Salvador to greet the refugees upon their return. That convoy had been blocked at the Colima River, in the interior between San Salvador and the border.

General Adolfo Blandon, chairman of the Salvadoran Joint Chiefs of Staff, told Channel Twelve television in San Salvador, "We will not allow foreigners to freely come into our territory and do what they please." He said that "a great quantity of vehicles" from San Salvador were carrying members of the National Union of Salvadoran Workers (UNTS), and said that it was blocked at Colima "because the roads toward Teosinte and Guarjila are very narrow and a traffic snarl could have resulted."

Among those in the second convoy stopped at the Colima bridge inside El Salvador was Bishop Thomas J. Gumbleton, auxiliary bishop of the Roman Catholic Diocese of Detroit, Michigan. He told *Refugee Reports* that the army was very intimidating. Harassment of the convoy included setting off sirens and what appeared to be taped sounds of machine-gun fire during the night or during celebrations of mass. Loudspeakers would threaten the Salvadoran leaders of the convoy by name.

"A huge armored personnel carrier with a long-barrelled gun mounted on top was right in front of us," said Gumbleton. "Periodically it would stop and point the gun directly at people, mostly the leaders. The gun was also pointed directly at me for a time. It makes you feel very vulnerable."

Gumbleton said that he believed that the presence of international observers and the media was essential for the safety of the refugees. "I've seen what the military does to these people," he said. "It is no exaggeration to say that they would not be opposed to wiping out whole villages of people as long as they thought the world wouldn't know about it."

The Mesa Grande Convoy Moves Slowly The convoy from Mesa Grande got started early Saturday morning, August 13. Nevertheless, a series of problems caused delays. Among them were last-minute controversies over items from the camp that the refugees wanted to take with them and the amount of money being given to the refugees in repatriation grants.

A pamphlet circulated by the refugees after they left the camp which castigated one of the voluntary agencies caused that agency's workers to threaten to pull out, resulting in further delays.

Stand-Off at Border Over American Religious Delegation According to the UNHCR, agreement had been made in ad-hoc negotiations before the buses left Mesa Grande that the Going Home delegation would travel by bus only as far as the border, whereupon they would disembark and stay behind in Honduras. However, at the refugees' insistence, the Going Home people stayed on board after the buses reached the frontier.

Members of the Going Home delegation said that no prior agreements were made to disembark at the border. "I was there when the negotiations were being made," said Dr. Katherine Herrera, assistant director of the Central American Refugee Center (CARECEN) in Washington, D.C., who was acting as press secretary for the Going Home delegation. "The refugees told UNHCR, 'We want you to come,' but also said, 'We want the internationals to come too.'"

The convoy was stopped at the border for 30 hours, stalemated on the question whether the 15-person Going Home delegation would be permitted to accompany the refugees across the border. During this time, some of the refugees' chickens began to die, food and water started to run out, and the discussions concerning Going Home grew increasingly heated.

"At the border, we were standing there looking down the barrels of guns," said Herrera. "The soldiers were pointing their guns at us, not at the ground. There were also U.S. military advisors present and military helicopters flying low with their side doors open. The tension was very high."

The UNHCR, however, said that the Salvadoran armed forces maintained discipline and acted in a positive manner, despite the evident tensions.

The government was adamant that the Americans not be allowed to enter. At the time, Interior Minister Edgar Belloso Funes told a Washington Post reporter that the decision was made at the highest levels of the Salvadoran armed forces and government.

The Interior Minister said, "The refugees are being exploited by the foreigners, and experience has shown us that these internationalists break the country's laws, participate in demonstrations, and we will not allow them in."

Finally, three church leaders from El Salvador, a Catholic, Lutheran, and Episcopalian, agreed to accompany the refugees to their ultimate destinations.

UNHCR said that the Salvadoran church leaders forcibly remonstrated with the 15 from Going Home, pleading with them to leave the bus immediately.

Herrera said that inside the bus "the refugees were incredibly flexible and patient. 'If our bishops come with us,' they said, 'you can leave.'"

"At no point did we intervene," said Herrera. "We were responsible to the refugees themselves who had bluntly told us in all seriousness that they needed us to save their lives. We would not leave until they told us to get off the bus."

But the controversy left feelings of frustration and anger.

"Although they were well-intentioned, the effect of Going Home's actions were counterproductive," said Weiss-Fagen. "Had it not been for their presence, the refugees would probably have returned safely on August 13."

Weiss-Fagen said, "A big political spectacle was enacted after all remaining issues had been resolved and the refugees were not in any danger."

Does Publicity Help Or Hinder Safe Repatriation? The differences among the groups assisting the refugees hinge on the question of whether publicity works to the benefit or detriment of repatriating refugees.

Clearly the presence of international media and of the Going Home delegates contributed to the delays that held up the actual repatriation. Their presence not only drew rhetorical fire from the Salvadoran government, but also apparently drew the contempt of some of the international agencies experienced in conducting refugee repatriations worldwide.

On August 14, the UN High Commissioner, Jean-Pierre Hocke, issued a communique from

INTERNATIONAL COUNCIL OF VOLUNTARY AGENCIES (ICVA)
MISSION TO HONDURAS
SELECTED RECOMMENDATIONS

To the Honduran Authorities

° Within its own borders, Honduras should cease the harassment of refugees by its military forces and especially by the "Fuerzas Territoriales", seen to have been responsible for the killing and wounding of Salvadorans in the camps. In this respect, a first step would be the abolition of military patrols within the present boundaries of the camps.

° The Honduran Government should see the refugee camps primarily as a humanitarian instead of a national security issue...Honduran military pressure on the camps has worked against the Government's own aim of eventual repatriation of Salvadoran refugees.

° The mission opposes any efforts to relocate Salvadoran refugee camps to other sites within Honduras against the wishes of the refugees.... As the events of October 1987 in Mesa Grande show, repatriation in accord with the will of the refugees offers a better alternative.

To UNHCR

° The mission strongly feels that the refugees' request for a 24-hour UNHCR presence should be recognized and other protection measures reinforced.

° The mission believes that a stronger emphasis by UNHCR on liaison with and outreach to the individuals working within the voluntary agencies would minimize UNHCR's feelings of isolation--and indeed alienation--from these agencies.

° The mission recognizes and fully supports UNHCR's responsibility for repatriating individual refugees upon their request. However, UNHCR should be sensitive to the feelings of the refugee community in the manner it carries out this responsibility. The mission urges in particular that the practice of repatriating refugees during the night be limited as much as possible.

° UNHCR should be vigilant in maintaining the integrity and autonomy of its program in Honduras against the often considerable pressures it faces from donor governments.

° The closed environment in which the refugees live frequently results in criticism from them of UNHCR and its work, sometimes in excessive language. The mission suggests that UNHCR manifest a more patient understanding of the refugees' frustrations.

To the Voluntary Agencies

° While the mission believes that most agency personnel are well-qualified and well-trained, there have been instances when this was not true. The mission therefore recommends that the agencies be particularly prudent in their selection and training of personnel.

° Agency workers underlined...their desire for close and friendly collaboration with UNHCR and for an end to the occasional personal and operational frictions that have occurred.... In this respect, the mission particularly recommends a) that newly arrived agency workers make themselves known at the earliest opportunity to UNHCR representatives in the field, b) that agency workers not engage in public denunciation of UNHCR through advertisements in the press, c) that agency personnel reinforce their efforts to promote refugees' understanding of UNHCR and to strengthen collaboration among refugees, UNHCR, and agencies.

To the Refugees

° The mission acknowledges the strength of refugee community organization and the vital role that unity, even militancy, have played in the defense of refugee interests. The mission recommends that there be no recourse to unjustified attacks on UNHCR, and that the refugees recognize the advantages of dialogue and cooperation.

° The mission well understands the need for solidarity of action within the refugee community. At the same time, it fully supports the right of individuals to repatriate to El Salvador whenever they so desire. The mission recommends that the refugee community, which has also recognized the right of voluntary repatriation, be attentive to safeguarding it at all times.

° Given that the mobilization of international solidarity depends largely upon precise information, the mission asks that the refugee community be particularly attentive to the accuracy of the reporting of events.

The ICVA mission expresses its appreciation for the help received from UNHCR, the voluntary agencies, and the refugees. The refugees are condemned by war and their conditions of asylum to a life of confinement and harassment which they endure with considerable fortitude. Those in UNHCR and the voluntary agencies who protect and attend them do so with an abnegation which is worthy of the highest praise.

Geneva expressing regret that "a number of incidents are taking place" leading to the belief that "there is a serious risk of deviation from what should be a strictly humanitarian operation." He urged that the repatriation be carried out "in a strictly humanitarian and apolitical spirit."

The continuing politicization of the repatriation was demonstrated when 60 international delegates took out an ad in the August 16 El Mundo demanding not only free passage of food and relatives to the refugees and respect for their decision to choose to return to their places of origin, but also "the expulsion of U.S. government advisors, who are the ones who are really intervening in the internal affairs of El Salvador."

On August 17, the Salvadoran Foreign Ministry issued a communique saying that it "condemns and regrets that the return of Salvadoran refugees is being hindered and exploited by subversive groups for negative purposes far removed from any humanitarian considerations."

Herrera said, however, that the media attention and presence of international observers was essential to safeguard the return. "We drew the heat, allowing the refugees to enter without harassment by the army."

She said, "Look what the government wanted to do. They wanted to quarantine the refugees, to question them in the army garrison. Those became nonissues with international accompaniment. If we had not been there, had there been no press, can you imagine what would have happened?"

Weiss-Fagen said, "All those issues--if they had even been issues, and not rumors--were resolved before international accompaniment ever got there. The internationals were not instrumental in those issues in the least."

Why Go Home? Why Now? What further complicates the issue for returning Salvadorans is that they are voluntarily repatriating to an unresolved and dangerous situation in their homeland. The local military commanders in the department to which they have returned look upon them with utmost suspicion. "These people have had political indoctrination for eight years from the guerrillas in the [refugee] camps," said Col. Ciro Lopez Roque, military commander of Chalatenango. He told the Washington Post, "Maybe not all of them are masas [civilian supporters of the guerrillas], but they sympathize with the terrorists. Their return is an advantage for the subversives."

Last year, following the first mass repatriation from Mesa Grande, the International Council of Voluntary Agencies (ICVA) told UNHCR that "peaceful conditions do not prevail in the places of origin of the refugees...and their safety cannot be guaranteed," and warned against "misunderstandings regarding the actual conditions of life in their homelands" that could lead to "unfounded expectations and hopes by the refugees."

According to Bishop Gumbleton, the refugees are fully aware of the dangers they face. "One of the woman leaders of the caravan described her arrest to me, her severe dehumanization and totally degrading treatment. But she said that she was determined to bring about change, to correct injustice."

"Not all of the refugees have the courage to go home now," said Eileen Purcell, executive director of the Salvadoran Humanitarian Aid, Research, and Education (SHARE) Foundation, a nonprofit organization providing assistance for Salvadoran refugee repatriation and reconstruction. "But those who are willing to take this risk are charting new ground with prophetic dignity and courage."

Jose Escobar, executive director of the Interfaith Office on Accompaniment, who was a member of the Going Home delegation, added, "They think that by going back they will prevent the right wing in El Salvador from consolidating its hold on the government and prevent them from implementing total war in the countryside."

But what of the children? More than half of the refugees returning from Mesa Grande were children. Are they aware of the dangers?

"These are not like American children," said Herrera. "They are strong. When I first arrived at Mesa Grande, it was the children who described in detail the brutal murder of a Salvadoran refugee inside the camp by Honduran soldiers 22 days before." (See Refugee Reports, Vol. IX, No. 8.)

"There are 8-year-old children who have never seen a river or a mango tree," said Escobar. "When the refugees left El Salvador eight years ago they thought it would be for a short time. They never expected that they would be in camps this long."

Repatriates Are Settling In Thomas Quigley, advisor on Latin American affairs for the U.S. Catholic Conference's overseas Justice and Peace division returned on September 1 from visiting the recently arrived returnees in San Antonio los Ranchos. He told Refugee Reports that the refugees are well provided for and have already begun clearing the fields.

Quigley described the town as having been completely abandoned and showing widespread war destruction. The church had clearly been bombed. Hardly a building was left intact. But, even in this inhospitable environment, he recalled a face-to-face encounter with one of the newly arrived refugees. Standing in the mud after three days of heavy rains, and, with the rain still coming down on him, the former refugee just kept saying how happy he was to be home.

Quigley saw a hopeful sign of how destruction can be transformed about one mile away, where the town of Guarjila, populated by refugees who returned from Mesa Grande in last October's repatriation, is blossoming. "It looks like a picture postcard village, placid and prosperous," he said. "The corn was high. The houses were simple, but orderly and spacious."

"I would expect that in eight to ten months San Antonio los Ranchos will look like Guarjila," predicted Quigley, a view that bodes well for their future.

Effect on Salvadorans in the United States
The August 14 repatriation is being closely watched in the United States, in part, because of the effect some observers believe it could have on the deportation of Salvadorans from the United States.

During last year's congressional debate on a bill that would temporarily suspend deportations of Salvadorans and Nicaraguans--the Moakley/DeConcini bill--Rep. Hamilton Fish, Jr. (R-N.Y.) cited the demand of refugees in Mesa Grande to repatriate as an argument against suspending deportation. He added, "Most areas in El Salvador are not unsafe and Honduras provides safe refugee camps to all Salvadorans seeking haven" (see Refugee Reports, Vol. VIII, No. 8).

Escobar said, however, "You can't compare conditions in a refugee camp in Honduras with the United States."

Weiss-Fagen added that UNHCR does not take the position that just because some people voluntarily decide to repatriate that others should be compelled to do so.

Escobar observed, "The refugees in Mesa Grande are a community. When they organize a repatriation, they act together and with the solidarity of international and Salvadoran support groups."

"But," he said, "the individual who is deported arrives at the airport in San Salvador naked and alone."

Update

° Vietnam has agreed to accommodate the voluntary repatriation of 10,000 Vietnamese boat people now in Malaysian refugee camps, according to an August 30 story in The Washington Post. The announcement was made in a joint statement released by the Malaysian and Vietnamese governments following four-day talks in Vietnam. The Post reported that Malaysia "also said it would consider providing assistance to Vietnam for the repatriation, reclassifying refugees as illegal immigrants, and closing its main refugee camp," Pulau Bidong.

° House and Senate Appropriations Committee conferees, meeting in early August, agreed on a figure of $382.3 million for the Office of Refugee Resettlement's (ORR) FY 89 budget. The appropriations bill (H.R. 6998) now faces floor votes in both houses of Congress. If the bill passes, ORR will be presented with an increase of about $36 million from last year's budget.

ORR Proposed FY 89 Budget
Senate/House Conference

Cash/Medical Assistance State Administration	$261,820,000
Social Services	64,906,000
Targeted Assistance	34,052,000
Preventive Health	5,770,000
Matching Grant Program	15,808,000
TOTAL	$382,356,000

° On August 24, ORR published an announcement in the Federal Register (Vol. 53, No. 164) that reduces the period of eligibility for refugee cash assistance (RCA) and refugee medical assistance (RMA) from 18 months to 12 months. The rule, which was first proposed last October, is expected to save an estimated $14 million in FY 89.

Recent Developments

CONDITIONS WORSEN FOR REFUGEES IN HONG KONG AS VIETNAMESE ARRIVALS CONTINUE

They have been housed in abandoned factories, army barracks, airplane hangars, and on ferries moored in Hong Kong harbor. One new camp is being built and another even larger one has been proposed. And still the refugees keep coming. Since January, over 15,000 Vietnamese have arrived in Hong Kong seeking temporary asylum and eventual resettlement in a third country, nearly an eightfold increase from the same period last year. The refugee population in Hong Kong now stands at 25,059.

In an effort to stem the outflow, the Hong Kong government announced that, as of June 16, all new arrivals are to be considered illegal immigrants, subject to detention and repatriation. Only those who can prove their refugee status to the satisfaction of a Hong Kong immigration official will be allowed to seek resettlement elsewhere.

Despite the new policies, the Vietnamese influx shows little sign of slowing down. From mid-June to the end of August, 9,125 Vietnamese have arrived in Hong Kong, according to a government spokesman. And as debate intensifies on the pros and cons of screening, resettlement, and repatriation, relief workers and refugee program officials in Hong Kong say that the most immediate problem is the crowded and unhealthy living conditions in many of the camps.

Thousands Living in a Converted Factory

In order to make room for new arrivals, the Hong Kong government has moved the pre-June 16 inhabitants of Chi Ma Wan and Hei Ling Chau camps to an 11-story factory building. As of August 17, there were 4,013 people in the San Yick factory, according to a U.S. refugee official in Hong Kong. In a recent visit to the factory, the official found the refugees living in "overcrowded and unsanitary conditions. The building smells of human waste," he said in an unclassified cable, "and there is no escape from the noise of 650 people crowded together on each floor. Refugees are living on triple bunks, with the top bunk 3 feet from the ceiling."

A water shortage in the factory means that refugees cannot bathe or wash clothes, and toilets and showers do not work properly, according to the official. "More chronic problems," he said, "are the lack of fresh air and the fact that the refugees have absolutely no access to the outside. The building has poor ventilation and, although there are many fans, the air is stale even on the empty floors... With the lack of fresh air, there have already been numerous people complaining of headaches, dizziness and nausea."

The Hong Kong government tried to get use of an adjacent empty lot as an exercise area, the official said, but the company that owned the space refused, citing plans to construct a building there.

A clinic, kitchen, and classrooms are planned for the refugee facility, but will not be completed until some time in September, according to the official. "Very limited schooling" for younger children is being provided by a local voluntary agency, International Social Services, he said.

The United Nations High Commissioner for Refugees (UNHCR) has offered to build and administer a new refugee facility in Tuen Mun, which would house many of the 16,000 Vietnamese who arrived in Hong Kong before June 16. Most of these refugees have been living in "closed camps," where they have been denied the opportunity to work or travel outside the camp. About 2,600 Vietnamese who arrived in Hong Kong before June 1982 are living in what is currently the only open camp facility, Kai Tak.

Conditions are likely to improve considerably in the new UNHCR facility, Hong Kong sources say. The Tuen Mun camp is expected to have family-oriented accommodations--the closed camps were prison-like barracks--and residents will be free to take outside work while they wait for a chance at resettlement.

The Hong Kong government, meanwhile,

has plans to build a new detention center in Whitehead that may hold up to 4,800 people by late December.

"In effect, they want to move the closed camp people into open camps," a U.S. refugee official told Refugee Reports. "The closed camps, in turn, are now detention centers. The government is trying frantically to house everyone. The problem is that everything is full."

Screening Begins, No Results Announced As of the end of August, Hong Kong immigration officers had interviewed more than 1,000 Vietnamese, but "no decision on any individual has been made," according to Peter Randall, chief information officer for the Hong Kong Economic and Trade Office in New York. In a letter to Refugee Reports, Randall outlined Hong Kong's new procedures for Vietnamese arrivals since June 16.

1. New arrivals are met by marine police in the harbor; they are informed of the change in policy. They can reprovision their boat and sail on (only one boat has done so since June) or agree to be placed in a detention center.

2. Those who choose to land are taken to Green Island for initial registration, then transferred to a detention center. The four major detention centers are Chi Ma Wan, Hei Ling Chau, Argyle IV, and Erskine (see chart).

3. Screening is carried out by an immigration officer assisted by an interpreter. Several interviews make take place if an applicant's background is complex.

4. The initial decision on status, refugee or illegal immigrant, is made by the immigration officer who conducted the interview. This is passed on to a senior immigration official, then up to a director who makes the final decision. Applicants have the right to appeal a decision to the Governor-in-Council.

5. Approved applicants gain refugee status and will be moved to an open camp to await interviewing for resettlement. Rejected applicants retain their illegal immigrant

VIETNAMESE BOAT PEOPLE IN HONG KONG
POPULATION AND LOCATION AS OF 8/26/88

		Category of Vietnamese Boat People							
		Arrived before 2-7-82	Arrived After 2-7-82 and before 16-6-88		Arrived on or after 16-6-88				
Center	Capacity	VR	VR	ECVII	Pending Determination	ECVII	VR	VII	Total
Open Center									
Kai Tak Transit Center	2,600	2,608	--	--	--	--	--	--	2,608
Government Centers									
Sham Shui Po	4,500	1	5,149	--	--	--	--	--	5,150
San Yick	4,200	10	4,018	--	--	--	--	--	4,028
Tuen Mun	2,200	7	3,072	--	--	--	--	--	3,079
Argyle IV	1,300	--	5	--	1,310	--	--	--	1,315
ASRC	500	1	286	139	--	12	--	--	438
Cape Collinson	600	--	614	--	--	--	--	--	614
Victoria	--	--	43	122	--	19	--	--	184
Chi Ma Wan	2,640	--	--	--	2,629	--	--	--	2,629
Hei Ling Chau	2,880	--	--	--	2,804	--	--	--	2,804
Lai Chi Kok	--	--	1	--	78	--	--	--	79
Arrival Reception Centers									
Green Island	900	--	--	--	902	9	--	--	911
Erskine	1,200	--	--	--	1,220	--	--	--	1,220
TOTAL	23,520	2,627	13,188	261	8,943	40	--	--	25,059

Key to Abbreviations:

VR -- Vietnamese Refugee
VII -- Vietnamese Illegal Immigrant
ECVII -- Ex-China Vietnamese Illegal Immigrant
ASRC -- Argyle Street Reception Center

Source: Hong Kong Economic and Trade Office, New York classification and remain in detention centers, pending repatriation.

Government reports state that "the UNHCR is free to observe the screening process in action and participate in any appeals against refusal to grant refugee status that may arise," but UNHCR has not yet done so. "We are still in discussions with the government," said Fazlul Karim, head of the UNHCR mission in Hong Kong. There have been differences in perception, but I don't want to go into detail. We have to get to an agreed position on the rules of the game, the sooner the better, because the interviews are going on."

The interview format and content have not been released by the Hong Kong government, but one local news account said that it comprised seven pages of questions.

Refugee advocates in the United States and Hong Kong have been critical of the new screening policy. Arthur Helton of the New York-based Lawyers Committee for Human Rights denounced the policy as "brutal" and "deterrence in the most insidious form--the mistreatment of asylum seekers in order to discourage others from coming."

"Screening will not lead to a status," said Helton in a letter to the New York Times, "since those accepted as refugees will continue to be held in camps, and those rejected will be indefinitely imprisoned under harsh conditions."

A letter in a Hong Kong newspaper signed by a local group of social workers, teachers, and businesspersons said, "Detention without trial or arbitrary detention is a direct violation of the Habeas Corpus Act 1679... If the government is violating this act, and if the community tolerates this violation, we are saying goodbye to British justice in Hong Kong."

Hong Kong government reports have defended the new policy, saying that it is "in accordance with internationally accepted practice for the determination of refugee status."

Repatriation Talks Inch Forward as Refugees Protest Perhaps the most controversial aspect of Hong Kong's new screening measures is the threat they carry of repatriation. On August 3, the day Hong Kong officials began repatriation talks in Hanoi, about 2,700 Vietnamese new arrivals in Hei Ling Chau went on a two-day hunger strike in protest. A few weeks earlier, about 700 people had staged a hunger strike, during which clothes and furniture were burned, 11 people were injured, and 100 arrested.

Sources report that occasional "incidents,"--usually brief, angry confrontations between boat people and officers from the Correctional Services Department--are still occurring in Hei Ling Chau and may be a factor in the government's postponement of screening decisions.

Following two days of talks in Hanoi, the governments of Hong Kong and Vietnam released a joint statement saying that "realistic and effective measures" were "urgently needed" to end refugee outflows. They agreed to meet again soon to consider "the terms and conditions under which a repatriation on a humanitarian basis might take place."

Randall confirmed reports that five Vietnamese voluntarily returned home on August 12 and said another 96 people have asked to go back.

Resettlement Only Available to Few Even as arrival rates skyrocket in Hong Kong, overseas resettlement offers continue to dwindle. In 1980, more than 37,000 Vietnamese were resettled from Hong Kong. Last year, only 2,212 were accepted. In the first eight months of 1988, resettlement offers have been extended to 1,768 boat people. More than 3,500 people have been in camps for at least three years, and 900 for more than seven.

Part of the slowdown, at least for the United States, is due to the fact that an increasing percentage of arrivals come from northern Vietnam, and lack overseas ties. Northerners comprise about 70 percent of outflow, a U.S. refugee official told Refugee Reports. Of these, only about 15 percent have even distant relatives in the United States. "I think we take about 1 percent of the northerners in Hong Kong," he said, "and about half of all the southerners."

"I don't foresee large numbers of people being resettled out of here," the official said. "The United States has its criteria, and there is not an unlimited number of eligible people here." Since 1982, the United States has imposed a virtual moratorium on admissions of refugees in the P-6 processing category, those without previous U.S. ties.

"I see Hong Kong being stuck with the lion's share of the people here," the official continued. "They have got to get them out of the camps and integrated into their society because they are going to be here."

At least one member of Hong Kong's Legislative Council thinks resettlement numbers will increase, if arrival rates diminish. "I expect the resettlement countries will start accepting more," said Hui Yin-fat in a Newsweek interview. "Once the screening becomes effective and the numbers become smaller, they will be willing to open up." But he acknowledged that there may be people left behind. "Eventually those people who are not resettled and who don't want to return to Vietnam will be accepted by Hong Kong," even though, he said, "this is not a popular solution," either for Hong Kong or the refugees.

Reader Exchange

° Educational materials concerning refugees and immigrants will be disseminated by the COMSIS corporation of Wheaton, Maryland, which is taking over the functions of the Refugee Materials Center in Kansas City, Missouri (see Refugee Reports, Vol. VIII, No. 9). Under a contract with the Department of Education, COMSIS will incorporate some of the former RMC functions into the activities of the National Clearinghouse for Bilingual Education (NCBE).

To order a catalogue with titles, descriptions, and prices contact NCBE/Refugee and Immigrant Education, 11501 Georgia Avenue, Suite 102, Wheaton, MD 20902. (800) 647-0123, or in the local calling area, (301) 933-9448.

° Florida Rural Legal Services (FRLC) has recently obtained from the Immigration and Naturalization Service the last known U.S. and foreign addresses and dates of departure of all persons in their local INS district who were deported, removed, or excluded from the United States since August 1, 1985. They are now attempting to contact those persons to inform them that they might be eligible as Special Agricultural Workers (SAW) under the Immigration Reform and Control Act (IRCA).

FRLC is urging other refugee and immigrant assistance organizations to submit Freedom of Information Act (FOIA) requests to the INS for comparable information in their districts. "Those of you who work with specific nationalities, such as Haitians or Central Americans, could limit your FOIA requests to those people with whom you work," said Mike Guare of FRLS.

Those who would like more information about submitting FOIA requests to the INS on this matter should contact Mike Guare, FRLS, 305 N. Jackson Ave., P.O. Drawer 1499, Bartow, FL 33830. (800) 282-7680 or (813) 534-1781.

° The Refugee Policy Group has an opening for a full-time research analyst position. They are looking for someone with experience in international and/or domestic health care with language ability in French, Spanish, or Portuguese to participate in several projects relating to refugee health care policy.

For further information, contact Lance Clark or Elzbieta Gozdziak at the Refugee Policy Group, 1424 16th St., NW, Suite 401, Washington, DC 20036. (202) 387-3015.

° A new mutual assistance association has been formed to assist refugees and other migrants from Zaire. The organization, MSAADA, meaning solidarity, is largely focused on the needs of refugees and displaced Zaireans abroad, particularly in Uganda. However, it also seeks to assist Zaireans in the United States with administrative and adjustment problems. For more information, please contact S. Manyalonge, MSAADA Association, P.O. Box 2017, New York, NY 10185.

Resources

SALVADORAN MIGRATION TO THE UNITED STATES ANALYZED

About one million Salvadorans are estimated to reside in the United States, most of whom traveled north to escape political conditions in their home country, according to a recently released report by the Hemispheric

Migration Project of Georgetown University's Center for Immigration Policy and Refugee Assistance (CIPRA).

"So long as the war continues," say authors Segundo Montes Mozo and Juan Jose Garcia Vasquez, "for many Salvadorans U.S.-bound emigration will remain their only escape from grinding poverty and peril, and the only means by which they can support the same families that they must often leave in the process."

The study, based on extrapolations from surveys of 1,308 families in El Salvador and 1,336 Salvadoran emigrants in the United States, estimates that each Salvadoran emigrant, on average, sends home about $113 per month, which would amount to a total in excess of $1.3 billion per year, if the estimates of Salvadoran residents in the United States are correct.

The study finds that Salvadoran emigrants to the United States are better educated and hold better jobs than the population at large in El Salvador. "When the average emigrant departs," says the study, "the country loses a young worker in the prime of life who has an education superior to that of most of his or her fellow citizens."

Although aware of the tangible benefits that this money brings to those faced with El Salvador's faltering economy, the authors warn that "the vaunted initiative of the Salvadoran people can wither as families come to depend on the support of relatives overseas." Remittances from Salvadorans in the United States represent an average of 61 percent of the income for their families in El Salvador.

The survey also shows that emigration is increasing among El Salvador's displaced population (see table, page 16). However, the report notes that most displaced persons are too poor to undertake the trip north.

The survey of Salvadorans in the United States reveals that only 22 percent enjoy legal status, although another 21 percent have initiated the process of legalization. Of those who arrived after 1981--which represents 66 percent of the displaced and 45.5 percent of the nondisplaced --only 10 percent enjoy legal status, and fewer than one-fifth are attempting to adjust their status.

Salvadoran Migration to the United States: An Exploratory Study is available for $7.50, plus $1 for postage and handling, from CIPRA, Box 2298, Hoya Station, Washington, DC 20057. (202) 687-7032. Make checks payable to Georgetown University.

STUDY LOOKS AT CENTRAL AMERICANS IN THE UNITED STATES AND MEXICO

A new study of Central Americans in the United States and Mexico recommends treating their mass entry as a humanitarian emergency, and "not as a challenge to immigration enforcement or a pawn of foreign policy gamesmanship."

Central Americans in Mexico and the United States: Unilateral, Bilateral, and Regional Perspectives, by Sergio Aguayo and Patricia Weiss-Fagen, says that it is essential that both Mexico and the United States incorporate safe haven measures to protect Central Americans from deportation.

The authors fault both governments for inconsistencies in their treatment of Central Americans, finding that many decisions of major importance are relegated to low-level officials, often associated with immigration enforcement.

Aguayo and Weiss-Fagen note that the Cartegena Declaration of November 1984, signed by the governments of the region (with the notable exception of the United States) and the United Nations High Commissioner for Refugees (UNHCR), establishes a more lenient definition of "refugee" than the "well-founded fear of persecution" definition found in the 1951 Convention (and the U.S. Refugee Act). Cartegena, in contrast, includes as refugees people who have fled their countries due to "generalized violence, foreign aggression, internal conflicts, massive violations of human rights, or other circumstances which have seriously disturbed the public order."

"Using this definition," the authors argue, "many of the Central Americans in Mexico and the United States could be considered refugees."

The authors are cognizant of the political obstacles to granting Central Americans safe haven. "To be sure," they write, "permitting access to legal status, even temporary status, to all or a major sector of the Central Americans now in exile, increases the likelihood that more might remain even in the event of a relatively successful peace proces."

Aguayo and Weiss-Fagen caution, however, against overstating the "magnet effect" such legislation could have on Central Americans. By the same token, they warn that most deterrents are unlikely to make much of a difference. "It is not at all clear," say the authors, "that difficulty in obtaining status or even jobs is an effective deterrent for people fleeing insecurity and physical danger as well as economic crisis."

Central Americans in Mexico and the United States, published by the Hemispheric Migration Project of Georgetown University's Center for Immigration Policy and Refugee Assistance (CIPRA), is available for $7.50, plus $1 for postage and handling. Send checks made out to Georgetown University to CIPRA, Box 2298, Hoya Station, Washington, DC 20057. (202) 687-7032.

THE VOICES OF MESA GRANDE SING

"Pedimos Paz,"--We ask for Peace--is a collection of songs from the Salvadoran refugees in the Mesa Grande camp in Honduras. Written and performed by the refugees themselves in the Mesa Grande camp, the songs express their culture and their desire to go home.

The themes of the songs are the beauty and love of El Salvador and the longing to return. Despite many of the sad lyrics, the songs are lively and convey an overall sense of hope and determination. In translation, one song says, "We are farmers. We love to work. And to learn of beautiful things. That is why we ask for peace. The most beautiful gift would be to find rest in our homeland. And to sing a song of joy when justice and peace reign. We do not want to be imprisoned like birds in a cage. They can sing and move their wings, but wish to be free and to fly."

One of the songs, "Viva Santa Ana", tells of the war-torn region of El Salvador from which many of the refugees have fled, and to which many returned in the first Mesa Grande repatriation in October 1987 (see Refugee Reports, Vol. XIII, No. 10). It is not a song of despair, however, but of affirmation. "Oh blessed land of Santa Ana, A land so full of happiness, My life and heart go out to you...Viva Santa Ana, Land that tastes of love, Land that smells of cotton....How wonderful to be from Santa Ana...And to sing to the beat of my guitars songs of my country with all my heart."

The cost of the Spanish-language tape from "rich countries" (presumably the United States and Canada) is $10 for individuals, $7 for organizations ordering 20 or more. From other countries, the tape is available for $5 for individuals, $4 for orders of 20 or more. All profits from the sale of the cassette will be distributed to Salvadoran refugees in the three Honduran refugee camps (Mesa Grande, San Antonio, and Colomoncagua) through international agencies operating in the camps.

To order, send checks to De Montreal Au Monde, Inc., C.P. 100, Station Place du Parc, Montreal, Quebec H2W 2N1, Canada.

CARECEN REPORTS ON FIRST SALVADORAN REPATRIATION FROM MESA GRANDE

Earlier this year, the Central American Refugee Center (CARECEN) in Washington, D.C. published a report on the October 10, 1987 repatriation of 4,313 Salvadoran refugees from the Mesa Grande camp in Honduras.

"At Mesa Grande and in displaced communities in El Salvador," said the report, "the Salvadorans affected by the war are a politically knowledgeable community, well aware of the circumstances that have transformed them into refugees and are aware as well of the future prospects and their potential. The Salvadorans at the camp are simply tired of their role as war victims. Accordingly they made a proposal in their own interest, to secure once again the basic rights to which all human beings are entitled. They were not deluded about the conditions to which they would return nor about the dangers that they would face on the way. They simply wanted to go home."

After Seven Years in Honduras... Salvadoran Refugees Return Home includes a detailed account of the repatriation itself, plus appendices that include a chronology of abuses against repopulated communities and a list of refugee returnees in prison.

The 84-page report is available for $8.50, plus $1.50 for postage and handling, from CARECEN, 3112 Mt. Pleasant St., NW, Washington, DC 20010. (202) 328-9799.

VIDEOS ON ASYLUM, TREATMENT OF TORTURE VICTIMS

The National Practice Institute has announced the availability of two new videos in its Cassette Lecture Series.

"Asylum Representation" gives technical information on representing asylum clients as well as an overview of developments since passage of the Immigration Reform and Control Act and the Supreme Court's Cardoza-Fonseca decision. The four-hour video features the 1988 conference of the Minnesota Lawyers International Human Rights Committee.

"Acknowledgement and Treatment of Torture Victims" is a one-hour video featuring highlights from a 1987 conference, sponsored by the Center for Victims of Torture in Minneapolis (see Refugee Reports, Vol. VI, No. 7), which was the first conference on torture treatment held in the United States.

"Asylum Representation" is available in audio for $115 and for $350 in video. The torture treatment audio cassette is available for $35, video for $125. An unedited 8 hour conference version is also available. A shipping cost of $2 per audio item and $15 per video is also required, as is 6.5 percent sales tax for Minnesota residents. Cassettes may be ordered from the National Practice Institute, Continuing Professional Education, 330 Second Ave., South, Suite 770, Minneapolis, MN 55401. (800) 328-4444.

THE RAID

A Spanish-language video, "La Redada" (The Raid) dramatizes an Immigration and Naturalization Service (INS) raid on a workplace in order to compare the situation of undocumented aliens who know their legal rights with those who do not.

The 31-minute color video is available in VHS for $24.95, plus $2.50 for shipping from Franciscan Communications, 1229 S. Santee St., Los Angeles, CA 90015. In California, please add 6 percent sales tax. (800) 421-8510 or (213) 746-2916.

KILLING FIELDS IN MOZAMBIQUE

Millions of people have been uprooted from their homes in Mozambique, and thousands more are fleeing each day, as atrocities by RENAMO, the South African-backed guerrilla force continue to mount, according to a recently released report from the U.S. Committee for Refugees.

The situation, as described in the August 1988 update to an earlier issue paper, Refugees from Mozambique: Shattered Land, Fragile Asylum, "is so dire, their brutalization so severe, that it demands the concerted attention of the international humanitarian community."

The USCR report cites problems that Mozambican refugees have encountered in countries of asylum, but notes that these difficulties "pale in comparison to the violence that caused them to flee."

Among other recommendations, the report calls on South Africa to cease its support of RENAMO. It further calls on South Africa to stop repatriating Mozambican refugees and to deactivate its electrified border fence with Mozambique, which has taken the lives of at least dozens of refugees attempting to flee the violent civil war in their homeland.

The 39-page report is available for $2 from USCR, 1025 Vermont Ave., NW, Washington, DC 20005. (202) 347-3507.

VIDEO SHOWS SUDANESE DISPLACED BY WAR

A massive influx of displaced war refugees in the southern Sudan is documented in a recent videotape from the U.S. Committee for Refugees. The 15-minute video shows the overcrowding and the lack of food and medicine that are putting the lives of up to 85 percent of the population of the southern Sudan at grave risk.

The video is narrated by USCR director Roger Winter, who recently returned from the southern Sudan. "At the time of my visit," he said, "local crops were all dead or dying, there was no food being supplied from outside sources, and the doctor at the local hospital with 500 in-patients was performing amputations and surgery without any medicines or anesthetics."

The color video is available in VHS for $30 from USCR, 1025 Vermont Ave., Suite 920, Washington, DC 20005. (202) 347-3507.

STATE DEPARTMENT RIGHTS REPORT CRITIQUED

The State Department's Country Reports on Human Rights Practices for 1987 show the influence of foreign policy considerations, according to a critique published by Human Rights Watch and the Lawyers Committee for Human Rights in June.

"In countries such as El Salvador, Guatemala, Haiti, Turkey, the Philippines, and the People's Republic of China" the report says--countries where the Administration strongly identifies with the government or perceives important U.S. interests to be served by harmonious relations--"the State Department fails adequately to portray human rights violations." Reports on these countries, according to Critique: Review of the Department of State's Country Reports on Human Rights Practices for 1987, "suffer from understatement and the glossing over of real abuses."

The report also faults the State Department for distorting the human rights situations in countries such as Cuba, Nicaragua, and Vietnam--countries the Administration perceives as ideological adversaries--"by discounting positive human rights developments and by emphasizing unverified or speculative allegations of abuses."

The 192-page book includes critiques of State Department reports on 44 countries. It can be ordered for $12 from Human Rights Watch, 36 W. 44th St., New York, NY 10036, or from the Lawyers Committee for Human Rights, 330 Seventh Ave., 10th floor north, New York, NY 10001.

CANADIAN HANDBOOK GUIDES REFUGEE SPONSORS

The Canadian Working Group on Refugee Resettlement has produced the Refugee Sponsorship Handbook, a practical guide for groups planning to sponsor a refugee.

The handbook outlines the types of sponsorships available in Canada and provides guidance on the costs and commitments associated with a decision to sponsor. It answers the short-term questions of the initial meeting with the refugee and defining of roles as well as long-term adjustment questions involving employment, language, and emotional well-being.

The handbook suggests formation of committees to oversee the refugees' financial, housing, language, job, health, clothing, furnishings, and food needs.

The Refugee Sponsorship Handbook is available for $10, Canadian currency, plus $3.50 postage and handling in Canada, $4 in the United States, from the Working Group on Refugee Resettlement, 347 College St., Suite 301, Toronto, Ont. M5T 2V8, Canada.

NEWSLETTER KEEPS TABS ON GUATEMALA

A Midwest regional newsletter of the Organization in Solidarity with the People of Guatemala has been focusing recently on the status of Guatemalan refugees.

The lead story in the Fall-Winter 1987-8 issue gives an overview of repatriation efforts since late 1986. Included are texts of refugee letters to President Cerezo on conditions that need to met before refugees will feel secure enough to return, petitions from the Guatemalan Episcopal Conference, and accounts of specific incidents of harassment of returnees.

For more information about the OSGUA Newsletter, write to P.O. Box 25333, Chicago, IL 60625, or call (312) 276-2425.

SALVADORAN ARRIVALS IN THE UNITED STATES: A COMPARISON BY PERCENTAGE OF THOSE ARRIVALS WHO HAD BEEN DISPLACED OR NOT DISPLACED IN EL SALVADOR

1941-1987

(This chart is adapted from "Salvadoran Migration to the United States: An Exploratory Study," by Segundo Montes Mozo and Juan Jose Garcia Vasquez.)

Time Period	Percent of Total Emigrants	Percent Displaced in El Salvador	Percent Not Displaced in El Salvador
1941-1976	16.7%	4.7%	20.0%
1977-1978	6.0%	4.7%	6.4%
1979-1981	28.5%	24.6%	28.0%
1982-1987	48.8%	66.0%	45.5%
	100%	100%	100%

EDITOR'S NOTE: This chart is intended to be read vertically, not horizontally. For example, 48.8% of all Salvadoran arrivals to the United States entered between 1982 and 1987. Of all Salvadorans who entered the United States after first having been displaced in El Salvador, 66% did so during the period 1982-1987. By the same token, 45.5% of all Salvadorans who were not originally displaced in El Salvador entered the United States during that period.

REFUGEE REPORTS is published monthly for $28.00 per year for one subscription, $20.00 each for two or more subscriptions to the same addressee, or $20.00 each for ten or more subscriptions requested at the same time, mailed to separate addresses; overseas postage, $24.00 additional; by ACNS, 95 Madison Avenue, Third Floor, New York, NY 10016. Second Class Postage paid at New York and additional mailing offices. POSTMASTER: send address changes to *Refugee Reports*, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204.

Editorial comments and inquiries should be sent to: *Refugee Reports*, 815 Fifteenth Street NW, Suite 610, Washington, DC 20005. All communications regarding subscriptions should be sent to: Refugee Reports Subscriptions, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204. (615) 377-3322.

Basic subscription rate for 12 issues per year: $28.00; Multiple-copy rate: $20.00; Single copies of back issues: $2.50
Editor: Virginia Hamilton; Staff Writers: Bill Frelick, Court Robinson
Distribution Manager: Carolyn Moore; Production Coordinator: Koula Papanicolas
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Refugee Reports

A News Service of the U.S. Committee for Refugees, a Project of the American Council for Nationalities Service
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Refugee Reports

A News Service of the U.S. Committee for Refugees
1025 Vermont Avenue NW, Suite 920 Washington, DC 20005 (202) 347-3507

Volume IX, Number 10 October 14, 1988

UNITED STATES WILL ADMIT UP TO 94,000 REFUGEES IN 1989

In an effort to meet expanding refugee assistance and resettlement needs with limited resources, President Reagan has authorized the admission of up to 94,000 refugees in FY 89, 10,000 of whom would enter the country with either partial or no funding from the government. This marks the third consecutive year that U.S. refugee admissions ceilings have increased (see chart on back page). Government officials estimate that between 75,500 and 76,500 refugees were admitted in FY 88, out of a worldwide ceiling of 83,500.

The worldwide figure for FY 89, which is substantially larger than the Administration had proposed early in the year, was made possible when Congress passed two budget appropriations bills in September, giving the federal government nearly $800 million for overseas refugee assistance, admissions, and domestic resettlement.

The worldwide ceiling, with a region-by-region breakdown, was presented by Secretary of State George Shultz and other Administration representatives at consultations with the Senate Judiciary Committee on September 13. Another Administration panel led by Ambassador Jonathan Moore, the U.S. Coordinator for Refugee Affairs, met with the House Judiciary Committee two days later.

The increased numbers drew fire from Sen. Alan K. Simpson (R-Wyo.), ranking minority member of the Senate Immigration and Refugee Affairs Subcomittee. He criticized the Administration for "nearly doubling the normal yearly flow" in "this non-emergency time." He predicted that higher numbers this fiscal year would "subject the government to great criticism if we seem to be falling behind" next year when the numbers--of Amerasians, in particular--would be less.

Simpson told Shultz that the Administration should not bypass emergency consultations in the event more refugee admissions are needed than initially anticipated. "The annual consultations are for normal times," he said. "I don't want us to forget that in this sacred ritual."

The largest regional increase is in Southeast Asia, where the admissions ceiling will grow from 38,000 to

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53,000, as the Orderly Departure Program (ODP)--bringing Vietnamese refugees and Amerasians directly to the United States--will nearly triple in size.

Largest Increase for Vietnamese Refugees

"There are four significant objectives of our admissions policy," said the Secretary of State. "First, each year..., refugees who face perilous protection problems...are resettled quickly and quietly." Admission of political prisoners exemplifies this objective, said Shultz.

U.S. resettlement also "encourages other nations to maintain responsible policies of first asylum," honors commitments to those with family and other ties to the United States, and promotes safe and orderly migration through direct departure programs, Shultz said.

In raising the annual refugee ceiling for ODP from 8,500 to 25,000, Shultz said, "An expanding ODP is vital as an alternative to boat departures, and is a vital part of our strategy" in Southeast Asia.

The larger ODP number allows for the admission of 12,000 Vietnamese refugees and 13,000 Amerasians, Shultz said, and "also provides for several thousand former re-education camp detainees and their accompanying relatives, to whom, after six years of negotiations, we hope to start gaining access in the coming fiscal year."

In the fitful manner that has often characterized U.S.-Vietnamese relations on ODP, the two countries appeared to have reached a preliminary agreement in July to allow the emigration of up to 50,000 former political prisoners and their families. But in August, Vietnam announced a "temporary suspension" of that agreement and, according to a State Department official, have not yet signalled an interest in resuming discussions. Since 1984, only about 1,600 former prisoners and family members have resettled in the United States through ODP.

Passage of the Amerasian Homecoming Act in December 1987 provided for the admission of an unlimited number of Amerasians between March 1988 and March 1990, who enter the country with immigrant status, but full refugee benefits. A report to the Congress from the U.S. Coordinator for Refugee Affairs justified inclusion of Amerasian immigrant numbers in the refugee ceiling because "they continue to be funded from the refugee budget."

Administration Backs Resettlement, Supports "Legitimate" Screening to Reduce Flow

Shultz expressed hope that Vietnamese boat departures, which climbed to 48,000 in the first 11 months of FY 88, more than double the rate for the previous year, would decline with increased opportunity for legal migration, but he said that "there will continue to be clandestine emigration.... A comprehensive solution to reduce this flow depends in part on the effective operation of legitimate national screening of asylum seekers, monitored by the UNHCR [UN High Commissioner for Refugees]. Such programs must ensure that bona fide refugees are recognized and given first asylum. Refugees should have the opportunity to apply for resettlement, and those determined not to be refugees should be cared for until they can return safely to their homes."

On June 16, the Hong Kong government instituted a controversial new screening policy in an effort to stem the flow of Vietnamese boat people, which, in one year, has increased the island colony's refugee population from 8,000 to over 23,000. Under the policy, all new arrivals are declared illegal immigrants, subject to repatriation unless they can establish to the satisfaction of an immigration officer that they face a well-founded fear of persecution in Vietnam (see Update).

"The United States has by far the strongest resettlement commitment to Indochinese refugees" of any country in the world, said Shultz, and promised that such a commitment would continue. The 28,000 numbers for resettlement of Cambodians, Laotians, and Vietnamese in Southeast Asian first asylum countries "responds to the currently high number of Vietnamese boat people in camps...and puts us in a position to admit some additional longstayers," said Shultz.

As of August, there were 153,000 refugees in Southeast Asian first asylum camps, as many as half of whom have been there for three years or more.

Large Outflows in Soviet Union/Eastern Europe Create "Crisis of Success" Having long promoted free emigration from the Soviet Union and Eastern Europe, the United States now faces what one voluntary agency official has termed a "crisis of success," as liberalized migration policies in many of the Eastern Bloc countries have contributed to near-record outflows in 1987 and 1988, and the U.S. government struggles to accommodate them.

Only 1,854 people left the Soviet Union in 1986, according to State Department figures, but in 1987 the number climbed to 25,745. And in the first six months of 1988, close to 29,000 people--comprising ethnic Germans, Armenians, and Jews--left the Soviet Union. Refugee flows from Poland, Hungary and Czechoslovakia into Western Europe have also risen substantially.

In May, President Reagan authorized that the FY 88 regional refugee ceiling for the Soviet Union and Eastern Europe be doubled from 15,000 to 30,000 to respond to the unexpected outflows. The FY 89 ceiling for the region is 24,500.

Administration Makes Changes in Soviet Refugee Processing The prospect of increased migration from the Soviet Union gives rise to two "fundamental issues," said Shultz. The first, he said, is "budgetary--in a time of severely constrained budgets, how do we ensure that we will have adequate resources to support an unexpected outflow of emigrants from the Soviet Union without damaging other critical foreign policy programs?"

Although the FY 88 worldwide refugee ceiling jumped from 68,500 to 83,000 in May, no supplemental funding for these emergency admissions was appropriated until late August. The government relied on what one official report called "cost cutting and cost avoidance measures" to admit the first 10,000 additional refugees, principally Armenians from the Soviet Union.

One of the cost-cutting measures instituted by the State Department was to reduce for the remainder of the fiscal year the reception and placement (R&P) grants paid to voluntary agencies for initial resettlement costs. From July 1 to September 30, the agencies were told, R&P grants would be reduced from $560 to $300 for the resettlement of refugees from the Soviet Union and Eastern Europe.

But on July 4, the Department of State abruptly suspended refugee processing at the U.S. embassy in Moscow, citing a lack of funds for the remainder of the fiscal year. The move left more than 3,000 Armenians in limbo inside the Soviet Union, many of whom had already given up jobs and sold possessions on the expectation that their departure to the United States was imminent (see Refugee Reports, Vol. IX, No. 7).

That incident touched off the harshest exchanges of the congressional consultations when Rep. Barney Frank (D-Mass.) at the House consultations on September 15 took U.S. Refugee Coordinator Ambassador Jonathan Moore to task for the "appalling spectacle" of "at risk" Armenians on the streets of Moscow "told to come back the next fiscal year."

Moore agreed that it was "a horrendous problem," but said that the Administration did not want to request supplemental funding to admit them as part of the efforts to reduce the national deficit. He said that all of the Armenians who had been told to come to Moscow for their final interviews would get out, through humanitarian parole, if necessary, but that "basically, it is a question of time and delay. Some of them will be delayed. All of them are going to come in who are eligible. We delay refugees from coming into this country from every area of the world every year."

Frank replied that in the case of the Soviet Union, delay could mean denial. "Don't ever let this happen again without at least coming to us," he said. "I cannot believe that we could not have found the relatively small amount of money to have avoided what was an enormous embarrassment and a terrible, terrible mistake from the standpoint of humane policy."

Moore defended the Administration record, calling it "a remarkable success story." He said, "We found ways to bring in 10,000 of those 12,000 additional Armenian numbers all by ourselves by scraping the bottom of the barrel, by using numbers that were unused despite our best processing efforts in other areas of the world, by cutting costs elsewhere in the refugee budget, and by reducing services."

Limited processing from the Soviet Union resumed later in July, and an additional 400 people departed for the United States with virtually full refugee funding. According to Don Krumm, a State Department official in the Bureau for Refugee Programs, another 1,600 Armenians were admitted in August and

REFUGEE APPROPRIATIONS FOR FY 89

For the first time since 1976, Congress passed all 13 appropriations bills before the start of the new fiscal year, thereby avoiding the need for a continuing resolution. The two bills to include refugee funding, Foreign Operations (PL 100-461) and Labor/HHS/Education (PL 100-436), provide $794,306,000 for refugee assistance overseas, admissions, and domestic resettlement assistance. The total is $175,423,000 more than the Administration requested. In a conference report accompanying the foreign operations appropriations bill, Congress scolded the Administration for its "inaccurate and unrealistic methods used in determining the budget request for migration and refugee assistance" and said that it expected future budget requests" to reflect not only known requirements, but realistic assumptions on anticipated refugee needs."

FY 89 APPROPRIATIONS FOR THE DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, EDUCATION AND RELATED AGENCIES

REFUGEE AND ENTRANT ASSISTANCE	FY 89 BUDGET REQUEST	FINAL APPROPRIATION
Cash and Medical Assistance	203,758,000	261,820,000
Social Services	30,000,000	64,906,000
Voluntary Agency Program	7,659,000	15,808,000
Preventive Health	3,000,000	5,770,000
Targeted Assistance	34,466,000	34,052,000
TOTAL	278,883,000	382,356,000[a]

[a] This figure represents the initial Senate/House Conference amount of $387 million, reduced by the "Gramm-Rudman-Hollings" percentage of 1.2%.

MIGRATION AND REFUGEE ASSISTANCE	FY 89 BUDGET REQUEST	FINAL APPROPRIATION
Refugee admissions to the United States:		
Refugee processing abroad	$ 30,240,000	
Transportation	33,700,000	
Reception and placement grants	35,960,000	
Training and orientation	15,500,000	
Subtotal	115,400,000	
Indochinese Refugee Program:		
UNHCR program in Southeast Asia (includes ODP)	15,000,000	
Antipiracy/Rescue at Sea Program	1,000,000	
Khmer relief	12,300,000	
Subtotal	28,300,000	
African Refugee Program:		
Contributions to international orgranizations	62,500,000	
Special projects	1,500,000	
Subtotal	64,000,000	

(continued on next page)

	FY 89 BUDGET REQUEST	FINAL APPROPRIATION
Near East Program:		
Relief for Afghan refugees	22,000,000	
United Nations Relief and Works Agency	67,000,000	
Subtotal	89,000,000	
Latin American Program	15,800,000	
Refugees to Israel	10,000,000	
International organizations:		
Intergovernmental Committee for Migration	6,000,000	
International Committee of the Red Cross	3,500,000	
Subtotal	9,500,000	
Administrative Expenses	8,000,000	
TOTAL	340,000,000	361,950,000[b]

[b] The foreign operations appropriations bill includes no line-item breakdown, but it does include nine separate earmarks listed below. A $23,500,000 earmark to go for domestic resettlement assistance was removed.

$140,000,000	for the refugee admissions program; within this amount $46,000,000 is earmarked for admissions of first asylum refugees from East Asia and $15,000,000 is earmarked for Vietnamese Amerasians and family members.
$ 1,500,000	for a Thailand-Cambodian border refugee protection program.
$ 1,500,000	for the anti-piracy program in Southeast Asia "none of which funds may be used by any government to deny asylum to individuals seeking asylum."
$ 1,500,000	for a Thailand border refugee education program.
$ 20,000,000	to be made available to UNHCR for assistance for Afghan refugees.
$ 28,000,000	for Soviet, Eastern European and other refugees resettling in Israel.
$ 8,000,000	for administrative expenses of the Bureau for Refugee Programs of the Department of State.

EMERGENCY REFUGEE AND MIGRATION ASSISTANCE (ERMA)	FY 89 BUDGET REQUEST	FINAL APPROPRIATION
	....	50,000,000[c]

[c] The Administration did not request any replenishment of the ERMA fund for FY 89. Congress appropriated $50,000,000 and earmarked $23,000,000 for Afghan refugee "to be administered by the cross-border humanitarian assistance program."

September through a "private sector plan." Under this plan, Armenian sponsors in the United States were obliged to pay all travel costs from the Soviet Union, but the newly arriving refugees are eligible for domestic resettlement services funded by the Office of Refugee Resettlement (ORR).

The State Department had also temporarily suspended the payment of even reduced R&P grants to the voluntary agencies for resettlement of the private admissions cases. But on September 22, Linas Kojelis, deputy assistant secretary for refugee admissions, wrote to the agencies that, since the President had just authorized use of $6 million in emergency supplemental funds for refugee admissions, "we are now able to use a portion of the emergency funds to restore the program to the status quo of July 1, 1988."

"SP-6,000" Cases Will Not Receive Travel Loans or R&P Grants, Officials Say Kojelis noted that, while reception and placement grants would be available retroactively for Soviet cases resettled between July 1 and September 30, any travel expenses paid by the refugees or by private parties would not be reimbursed. For those refugees processed directly from Moscow in FY 89, Kojelis added, "we will continue to encourage private parties to pre-purchase tickets where they have the means to do so."

To reduce federal costs for refugee admissions in FY 89, the Administration is authorized to admit up to 6,000 refugees from anywhere in the world, who would enter the country without travel loans or R&P grants. These "semi-private" cases, or "SP-6,000", as one State Department official called them, would be eligible for all ORR services along with other refugees.

While it is likely that the SP-6,000 cases will include some number of Armenians, Krumm told Refugee Reports, "We are trying to craft a worldwide program, and are making no assumptions about who this will include." He mentioned Eastern Europeans and Iranians as two groups who might use the semi-private admissions category.

"Before we do anything" on this initiative, said Krumm, "we are going to have a full round of discussions with the voluntary agencies and with Congress."

"The issue of private or semi-private refugee admissions is a complex one," said Gary Rubin, program director of the American Jewish Committee. "It can be a legitimate tool to admit additional people and leverage private funding," Rubin told Refugee Reports, "but there is also a danger of undermining the integrity of the refugee program, if it is seen simply as a way for rich communities to buy refugees into the country. Both the potential gains and the losses are very big."

Administration Says Not Everyone Leaving the Soviet Union Is a Refugee Besides budgetary concerns, the other "fundamental" issue raised by increased migration from the Soviet Union, according to Shultz, is "legal--can all Soviet migrants be admitted under the refugee provisions of the Immigration and Nationality Act?" U.S. refugee law, as amended in 1980, requires that a person be able to demonstrate a "well-founded fear of persecution," in order to qualify for admission as a refugee.

Simpson told Shultz, "The American people will respond always to a true refugee, but not to a gimmick refugee." He characterized the Armenians as "middle class," and said, "it is very difficult to define them as refugees."

The Immigration and Naturalization Service (INS) clearly leans towards Simpson's view. "We must recognize that some of those wishing to depart the Soviet Union are not refugees," said INS Commissioner Alan Nelson in his written testimony before Congress. Some, he said, "are, rather, prospective immigrants, and as such, they should enter this country according to the requirements of our own immigration laws."

Rep. Peter W. Rodino, Jr. (D-N.J.), chairman of the House Judiciary Committee, warned, "There are some restrictionists who believe that we should simply define refugees out of existence."

Rodino said that even if one concedes that persons are being admitted as refugees who do not qualify under the definition, "then we should endeavor to provide a mechanism that will set forth clearly the criteria and rules governing their admission."

Nelson laid out a course of action, involving short, medium, and longer term changes needed to promote "continuing support for the entry of qualified Soviet emigres into the United States." In August, the INS sent immigration officials directly to Moscow to screen and process refugee applicants. Prior to that, refugee determinations were made only after emigres had arrived in Rome, where it was virtually impossible to reject anyone, given what Shultz called "an implicit commitment to Italy that all such persons would be admitted to the U.S."

A government source told Refugee Reports that U.S. officials in Moscow had interviewed about 2,700 people since August, primarily Armenians, and approved more than 90 percent as refugees. "Those found ineligible for refugee status, but whose admission to the United States is deemed to be in the national interest," said Nelson, will enter through "public interest parole," a discretionary status granted by the Attorney General. Parolees, or their sponsors in the United States, will be expected to cover all costs for their admission and resettlement.

In the medium term," said Nelson, "a process is being formulated to allow for official U.S. government screening of an applicant's eligibility for refugee and/or immigrant status before these intending emigres approach Soviet authorities for exit permission."

Currently, prospective immigrants to the United States "have completed the process of checking out of the Soviet Union" before they are even seen by U.S. officials, he said. This means, generally, that, once people are given permission to leave, they resign their jobs, give up housing, sell their possessions, and exchange identity papers for passports, all on the assumption that the United States would admit them. Nelson would like that order reversed. "We must remember that while the right to emigrate is a right guaranteed by the Universal Declaration of Human Rights," he said, "there is no corollary right of the immigrant's entry in, for instance, the United States."

In the longer term, Nelson called for new legislation that would establish a "special interest immigrant category", in order to accommodate flows of people in the future like the Armenians, who do not all fit into either refugee or immigrant categories.

"We have great concern with the movement toward individual refugee determinations" in the Soviet Union, Rubin told Refugee Reports. "First of all, we have seen in Southeast Asia that INS can do this badly. And second, we are convinced that the correct description for what Jews experience in the Soviet Union is persecution and the correct category for them is refugee."

Administration Reiterates Support for "Freedom of Choice" for Soviet Jews Shultz responded to questions from Sen. Charles E. Grassley (R-Iowa) about the Aministration's view on attempts by Israel to compel emigrating Soviet Jews to fly directly to Israel. "If they wish to go to Israel, I'm all for that," said Shultz, "but the fundamental principle of freedom of choice we have to affirm."

Shultz traced the problem to Soviet restrictions on emigration. "We would like to see the Soviets say if a human wants to emigrate, he can leave with no other criteria. Then we could change the situation as far as the recipient country is concerned."

Shultz wouldn't directly criticize the Israeli efforts, but did raise a chuckle when he said, "The Israelis are not against freedom of choice, they just want to rig the system a little bit."

Numbers for Near East/South Asia Drop Citing the prospects for Afghan repatriation and an end to the eight-year long Iran-Iraq conflict, the Administration has reduced the regional admissions ceiling for the Near East/South Asia from 9,000 in FY 88 to 7,000 in FY 89.

"We expect to need fewer [admissions] numbers," Shultz said, "because conditions are beginning to stabilize in Afghanistan, making it possible for many Afghans to return to their homeland." Congress has earmarked $43 million in refugee assistance funds to support repatriation efforts in FY 89. Since 1979, the U.S. government reports it has spent over $600 million to assist the three million Afghan refugees in Pakistan, the largest refugee population in the world. Another two million Afghans are in Iran.

About 2,600 Afghans have resettled in the United States in each of the last five years, according to a report from the U.S. Coordinator for Refugee Affairs. Afghan admissions in FY 88 dropped to about 2,200, and will fall to about 2,000 in FY 89, the report said.

While Shultz said he hoped that an end to the Iran-Iraq conflict "may lead to fewer applicants," the Coordinator's report acknowledged that "Iranians continue to apply for U.S. admission in record numbers." The majority are persecuted religious minorities--Zoroastrians, Baha'is, Christians, and Jews. Iranian admissions were above 6,000 per year in FY 87 and 88.

"We are strongly opposed to any reduction in this ceiling" for the Near East/ South Asia, said Ross Vartian, chairman of the Armenian Refugee Coordinating Committee, in a statement submitted for the congressional refugee consultations. "In the emphasis on Soviet Armenian emigration," Vartian said, "U.S. refugee policy and programs have overlooked the needs of Armenian refugees who have been forced to flee their native countries on account of persecution as an ethnic and religious minority."

Vartian said that "even conservative estimates" identify 10,000 to 15,000 Armenians of Iranian and Turkish nationality living in asylum in Western Europe and South Asia. Several thousand Iranian Armenians are facing "long delays" in admissions processing, Vartian said, while "Turkish Armenians have not thus far even been considered to be refugees under U.S. processing criteria."

600 Cubans Enter Under Private Sector Initiative For Latin America and the Caribbean, the U.S. government has proposed an FY 89 admissions ceiling of 3,500, the same as for last year. With resumption of U.S.-Cuba migration agreements in November 1987, political prisoners and their family members will be admitted in the coming year. The remaining numbers will be used for "Central American refugees with close ties to the United States for whom no other options are available," according to a State Department report.

With September arrivals not fully tabulated, the government estimates that about 2,800 refugees will be admitted from the region in FY 88, including 2,500 Cubans and 300 Central Americans. As of the end of August, 202 Nicaraguans and 15 Salvadorans had been admitted for resettlement. "The Central American refugee situation has been alleviated somewhat," said Shultz, "by the voluntary repatriation of more than 6,700 Salvadoran refugees from camps in Honduras."

Rodino criticized the Administration's refugee admissions policy with respect to Central Americans, expressing his concern that "the intent of the Refugee Act in eliminating ideological considerations from our refugee admissions program has not been fully carried out." Rodino said that the Administration had not done enough to respond to the refugee problem in Central America, and said that the United States has lagged behind other traditional resettlement countries, such as Australia and Canada, in responding to Central American refugees in need of resettlement.

In the first use of the government's private sector admissions numbers, on September 11, 684 Cubans entered the country, sponsored by the Cuban American National Foundation (see Refugee Reports, Vol. IX, No. 8). Since the beginning of FY 87, 4,000 numbers have been authorized each year for the admission of refugees without federal funding.

African Admissions Ceiling Is Cut by One-Third The African continent was the site of some of the most dramatic refugee movements in 1988. On the positive side of the ledger, more than 80,000 Ugandans returned home from the Sudan in the first six months of the year, leaving only a few thousand Ugandans in exile. The voluntary repatriation of Chadian refugees from the Central African Republic and the Sudan also continued in 1988.

But for every African refugee who went home in the last year, dozens of new refugees were crossing borders in search of asylum: 300,000 Sudanese refugees in Ethiopia, fleeing civil war in southern Sudan; 350,000 Somalians in Ethiopia; and hundreds of thousands of Mozambicans in Malawi.

"Because of the generous asylum policies found throughout Africa," said the U.S. Refugee Coordinator's report, "few refugees require resettlement outside the region." Since 1980, 18,000 African refugees, primarily Ethiopians, have been admitted to the United States. Generally, U.S. admissions policies in Africa favor political dissidents and urban refugees who cannot easily assimilate in asylum countries.

The FY 89 regional ceiling for Africa is 2,000, a 33 percent reduction from the FY 88 ceiling of 3,000. "The continued economic crisis and political oppression in Ethiopia will account for the largest group of refugees from any single African country," said the report, followed by refugees from southern Africa.

Generous asylum policies in Africa are not the only factor that keeps regional admissions numbers down. "The fact that 2,000 is, admittedly, a relatively low figure," said Shultz, "reflects the practical reality that we have difficulty arranging for efficient movements of approved Ethiopian refugees from Sudan." Now that an INS officer has been stationed full-time in Nairobi, access should improve, said Shultz.

"It's not enough to shift the burden of the African continent to one INS officer, however talented," Roger Winter, director of the U.S Committee for Refugees, told Refugee Reports. "The entire network of U.S. embassies needs to be brought into this process."

Winter called for INS and the Department of State to implement a strategy to seek out individuals truly in need of resettlement from throughout the continent. Noting that only about half of the FY 88 numbers for Africa were used, Winter said that until such a cooperative effort is implemented, "African refugee resettlement will remain too restricted numerically and confined largely to a single nationality, Ethiopians."

Update

° Correctional officers in Hong Kong's Hei Ling Chau refugee camp used "unnecessary force" when they beat and kicked Vietnamese refugees following a disturbance in Hong Kong's Hei Ling Chau refugee camp on July 19, according to a report commissioned by Hong Kong's governor. The report also criticized medical officers who examined 100 of the refugees involved for filing injury reports that "fail to reflect adequately the nature and extent of the injuries found and that...do not give any reliable picture of the number of persons who had signs of injury on that day."

On the evening of July 16, a number of Vietnamese in the camp dining hall refused to eat, protesting that the portions were too small. "The situation then deteriorated," the report said, and some of the people began "acting violently"--shouting, breaking windows, lighting fires, and throwing things. Two security officers received minor injuries, the report said.

Several factors contributed to the disturbance, in addition to complaints about food rations, the report said. Many of the refugees were "extremely anxious and resentful because their status had been redefined to that of illegal immigrant. On June 16, the Hong Kong government announced that all new arrivals would be considered illegal immigrants subject to detention and deportation, unless they could establish to the satisfaction of an immigration officer that they were refugees.

The report also said that severe overcrowding in the camp, language barriers created by the absence of interpreters, and a violent rainstorm on the night of July 18, contributed to the tension and unrest.

Disturbances continued on the morning of July 19, and a "tactical response squad" moved in to assist the correctional officers in transferring about 100 "troublemakers and ringleaders," as the report called them, to another facility. It was during this roundup and transfer, according to the report, that the beatings occurred.

Commenting on the report, a Hong Kong government spokesman said, "Clearly there were some lapses of discipline amongst Correctional Services Department officers, and if the high reputation which the department enjoys is to be sustained, action should be taken against those responsible."

The report also noted that many of the refugees in Hei Ling Chau had all of their possessions taken from them by correction officers and thrown away. "To the Vietnamese boat people," said the report, "the most valuable objects in their possession were their papers on which were written addresses of relatives overseas, or records of one sort or another. To have lost these is to have lost their main hope of obtaining placement in another country, and is a very bitter blow indeed."

° Soviet citizens seeking to emigrate will no longer have to receive letters of invitation from close family relatives abroad, according to new regulations being drafted in the Soviet Union. The New York Times reported on September 29 that the draft revisions would also establish a cutoff point for denying Soviet citizens exit permission on the ground that they had previous access to classified information. If the changes go into effect, exit permits will not be denied on security grounds if the would-be emigre has not had access to state secrets for a certain period of time.

Since the beginning of 1988, Soviet regulations have accepted applications for emigration only from those with letters of invitation from close family members abroad, such as spouses, siblings, children, or parents. In practice, the Soviet authorities have been relatively lax in the requirement of invitations from certain ethnic groups, in particular ethnic Germans bound for West Germany, Jews with invitations from Israel, and Armenians. If the new regulations go into effect, it could become easier for other ethnic and religious groups, such as Pentecostals, to exit the country.

The regulations would also probably allow more Soviet Jews to receive permission to emigrate directly to the United States. In fact, the draft regulations could be a Soviet response in part to the controversy regarding the destination of emigrating Soviet Jews, an ever-increasing percentage of whom opt to enter the United States as refugees rather than continue on to Israel.

Israel has been attempting to prevent the "drop out" phenomenon from occurring by requiring those with visas to Israel to travel there directly, which many in the American Jewish community would support if Soviet Jews were allowed to make a genuine choice at the outset about their preferred country of destination (see Refugee Reports, Vol. IX, No. 7).

Another draft change from current procedure would allow judicial review for a child whose parent refuses to give permission to emigrate.

American officials were told of these developments in mid-September during discussions on human rights issues preparatory to meetings between Soviet Foreign Minister Eduard A. Shevardnadze and President Reagan and other top American officials.

° The federal Board of Immigration Appeals (BIA) has ruled that immigration judges are not precluded from granting asylum to aliens who have been convicted of particularly serious crimes, although it stated that the nature and gravity of the conviction would mitigate against a grant of asylum, and in many cases could be the determining factor.

In Matter of Gonzalez the BIA said that "an immigration judge should not refuse to conduct a full evidentiary hearing and consider the evidence of record in its totality."

The Immigration and Naturalization Service (INS) proposed to revise asylum procedures last July by allowing immigration judges to limit the scope of evidentiary hearings for asylum seekers who had been convicted of serious crimes (see Refugee Reports, Vol. IX, No. 8).

° The government of Honduras has begun to expel refugees from Nicaragua in apparent violation of a 1987 memorandum of understanding with the UN High Commissioner for Refugees (UNHCR), according to an October 9 Washington Post report. Up to 300 Nicaraguans have been forced to return through the mined border area.

The Washington Post cited Nicaraguan sources as saying that some of the expellees had been jailed and others conscripted into the Sandinista army upon their return.

° On September 27, a class action lawsuit was filed in federal district court in Manhattan charging that the Attorney General, the INS Commissioner, and local immigration officials unlawfully delayed and denied claims of Haitians in New York who have applied to adjust their status to that of permanent residents under the Cuban-Haitian adjustment provision of the Immigration Reform and Control Act (IRCA).

° On August 27, the district court for the southern district of Florida granted a preliminary injunction in Haitian Refugee Center, Inc., et al. v. Alan C. Nelson. The court found that Special Agricultural Worker (SAW) applicants have been improperly denied in that the aliens were not provided specific reasons for denial, an opportunity to examine and rebut adverse information, and correct procedures for appeal. Accordingly, all denied I-700 applications filed in Florida, Alabama, or Georgia were ordered to be reviewed.

Recent Developments

HOUSE PASSES GENERIC SAFE HAVEN BILL

The House of Representatives passed legislation on October 5 that would set forth criteria by which the Attorney General can grant temporary safe haven to nationals of countries experiencing armed conflict or other dangerous conditions. (See Refugee Reports, Vol. VIII, No. 11, for coverage of the hearings on this bill.)

H.R. 4379, the Temporary Safe Haven Act of 1988, would remove from the Attorney General his present powers to grant extended voluntary departure (EVD), a temporary withholding of deportation which, since 1977, has been granted administratively to Ethiopians, Ugandans, Poles, Afghans, Iranians, and Nicaraguans (see Refugee Reports, Vol. VIII, No. 7). In its place, the bill establishes three criteria for "authorization to remain temporarily" (ART):

1) physical danger to the alien due to armed conflict in the homeland;

2) environmental disaster in the homeland; or

3) U.S. national interest, taking into account international, humanitarian, and immigration concerns.

The bill passed the House by a voice vote. There is no companion bill in the Senate, however, so there is virtually no chance that of it becoming law during this session of Congress. Sen. Edward M. Kennedy (D-Mass.) is drafting language for a temporary safe haven bill to be introduced in the Senate in the next session of Congress, according to congressional staff sources.

The author of the House-passed bill, Rep. Romano L. Mazzoli (D-Ky.), chairman of the House subcommittee on Immigration, Refugees, and International Law, said that the bill fills a gap in the 1980 Refugee Act. He said that aliens who can demonstrate a well-founded fear of persecution can be granted asylum on an individual basis under existing law. "On the other hand," he said, "an undocumented alien who is in the United States illegally, even one who is fleeing war, disaster, famine, and the like, has no ground to remain in the United States and must be deported."

Mazzoli said, "Current law is all or nothing at all. The Judiciary Committee felt there should be a middle ground."

Mazzoli went on to criticize the current practice of granting EVD on an ad hoc basis. Although an attempt to answer "an obvious and ongoing need," Mazzoli said that EVD "has only the shakiest of legislative foundations, and indeed is outside the scope of current law."

EVD grants are currently made, extended, or terminated without guidelines, the decisions are not publicized, and no explanations are given for EVD decisions, according to Mazzoli. "For example," he said, "in 1987 when EVD was extended for Poles the action was accomplished by means of an internal directive to Immigration Service offices. No notification or explanation accompanied the action."

The House bill received strong bipartisan support. Republican speakers in favor of the bill uniformly couched their support of it in terms of their opposition to the Moakley/DeConcini bill, which calls for a temporary suspension of deportation for Nicaraguans and Salvadorans.

Rep. Hamilton Fish, Jr. (R-N.Y.), ranking minority member of the House Judiciary Committee, said, "I believe the bill under consideration makes much more sense than granting a stay of deportation for El Salvador or Nicaragua only, pending completion of the GAO report, or granting administrative EVD to Polish nationals every six months."

Rep. Patrick L. Swindall (R-Ga.), ranking minority member of the Immigration, Refugees, and International Law subcommittee, said, "To give the Salvadorans and Nicaraguans living and working here a free pass undermines the new immigration law, intended to discourage sneaking into the country. In addition, the [Moakley/DeConcini] bill stops at those two groups and does not address the plight of the others whose plea for emergency protection fails to win administration or congressional sympathy."

Swindall said, "H.R. 4379 provides an alternative to this ad hoc approach by establishing a statutory framework for all situations where temporary refuge is sought for foreign nationals whose country faces temporary chaos and establishes the conditions of their stay while they live in the

United States."

The Moakley/DeConcini bill, which has also passed the House, could be attached as an amendment to the Refugee Assistance Reauthorization Act in the Senate before the current session ends. Congressional staff say that the prospect of a Moakley/DeConcini amendment has, thus far, held up passage of legislation to reauthorize the Refugee Act.

Current Research

(Below is an excerpt of a report issued in September by the U.S. Committee for Refugees on the U.S. government's problem-ridden humanitarian parole program to help Cambodians on the Thai/Cambodian border rejoin their families here. The report was written by Court Robinson, Refugee Reports staff writer, and Arthur Wallenstein. In the Senate refugee consultation on September 13, Senator Edward M. Kennedy (D-Mass.) cited the report and requested that the Immigration and Naturalization Service respond in writing to its recommendations.

The report contains an extensive set of appendices useful to those in the process of sponsoring a Cambodian to enter the U.S. under the program. Copies are available for $3.00 from The U.S. Committee for Refugees, 1025 Vermont Avenue, NW, Suite 920, Washington, DC 20005.)

Unfulfilled Hopes: The Humanitarian Parole/Immigrant Visa Program for Border Cambodians

Case of Youeth Yan--Thirty-two-year-old man living in the United States since March 1987. His mother, Poon Seurn, and his two younger sisters are living in Site 2. Youeth must wait four years to become a U.S. citizen before he can petition for immigrant visas for his three family members.

Case of Vyra Som--Thirty-three-year-old woman living in Site 2. Mother deceased, father still in Cambodia. Vyra has been hospitalized multiple times for severe bronchial asthma. Application filed for humanitarian parole for compelling medical/humanitarian reasons.

Case of Yim Chann--Sixty-nine-year-old woman. Husband killed by Khmer Rouge. She was separated from her sons in 1979. Lived in the border camp, Nong Samet, until December 1984. Moved to Khao I Dang, then was transferred to Site 2 South. Humanitarian parole application for family reunification was filed and denied in 1985, then approved upon reconsideration in 1986. Reunited with her sons, their wives, and her grandchildren in the United States in July 1987.

* * *

The cases above bear witness to the thousands of Cambodian families divided by the tragedy and destruction that has befallen the Cambodian nation in the last eighteen years. From 1970 to 1975, Cambodia fought a bloody civil war, whose ferocity was intensified both by U.S. saturation bombing of the countryside and by extensive Vietnamese assistance to the Cambodian communist forces. Under the brutal rule of the Khmer Rouge from 1975 to 1979, during which more than one million Cambodians perished, families were torn apart and marched off to collectives. When the Vietnamese invaded the country in 1979, driving out Pol Pot and establishing a new communist regime, some fled immediately to the border. Others were driven there later by famine, persecution, or a desire to reunite with relatives. Families are still coming back together, still following rumors, seeking loved ones.

There are 300,000 Cambodians living just inside the Thai border who have been designated "displaced persons" rather than "refugees", despite the fact that they are now outside their country in extremely vulnerable circumstances. As such, they are prohibited from seeking third-country resettlement, except on a very limited basis. Many of them have lived on the border since 1980, sometimes in Thailand and sometimes in Cambodia, caught in the crossfire between Vietnamese troops occupying Cambodia and the resistance forces seeking to drive the Vietnamese out.

The United States Creates a New U.S. Program to Reunite Cambodian Families

In September 1985, the U.S. government announced a program that would allow Cambodians in the United States to petition for family reunification with relatives on the Thai-Cambodian border who, by an unfortunate twist of fate and timing, were not allowed to seek resettlement as refugees. Despite three years of time-consuming policy deliberations and painstaking casework, fewer than 700 people have actually entered the United States by way of this initiative.

The limited program to process Cambodians from the border included those eligible for immigrant visas (IVs), who would need to meet all normal immigrant processing criteria, including the requirement to demonstrate that they are not likely to become "public charges." Visas 93 cases--i.e., the spouses and unmarried minor children of refugees in the United States, would be processed "in the normal fashion" as refugees, with full refugee benefits, including travel loans and overseas language training and orientation.

Regarding humanitarian parole cases, the government stated, "INS Central Office will be willing to consider any individual cases which the District Director of INS considers appropriate to recommend for parole, where there is an immediate and compelling need for family reunification or for keeping a family intact."

Those who enter the U.S. under humanitarian parole are not eligible for standard refugee benefits. Those who request such parole must include affidavits of support, as well as statements showing how medical and housing needs will be met, and "sponsors also must indicate knowledge of the unavailability of standard refugee benefits for the prospective parole beneficiary."

The U.S. government ultimately identified three groups of Cambodians for "favorable" humanitarian parole consideration by the U.S. Immigration and Naturalization Service:

HP 1 - Beneficiaries of noncurrent immigrant visa petitions.

HP 2 - Dependent extended family members of current and noncurrent IV beneficiaries and Visas 93 cases.

HP 3 - Other parole requests which are emergent or in the public interest.

From January 1986 to August 17, 1988, the following numbers of individuals were approved, denied, and/or entered the U.S.:

Individuals approved by the U.S.

Immigrant Visas	238
HP1	777
HP2	62
HP3	11
TOTAL	1,088

Individuals denied by the U.S.

Immigrant Visas	51
HP1	8
HP2	4
HP3	47
TOTAL	110

Individuals entering the U.S.

Immigrant Visas	174
HP1	472
HP2	24
HP3	19
TOTAL	689

There are, in addition, about six cases (14 individuals) where a decision is still pending. More than 160 people still have not been located for interviewing, and another 127 have been located, but not yet interviewed.

Program Ultimately Fails to Meet Expectations The Humanitarian Parole/Immigrant Visa (HP/IV) program for border Cambodians has raised more expectations than it has fulfilled, and the fault for this must be shared by the Thai and U.S. governments. Access to families on the border has been severely restricted until recently. Guidelines that could be more generous have been too narrowly articulated. Information on the program has been poorly disseminated, and the application process is painfully slow. Despite these very real problems, and the lack of priority accorded to solving them, the program still holds out some hope as an escape valve for at least a small number of Cambodians who now remain trapped and vulnerable in the dangerous border camps.

The successes and failures of the program should be studied by U.S. policymakers as they weigh the merits of possible new uses for humanitarian parole.

The following are a series of recommendations for improving this fragile--and extremely important--mechanism for assisting Cambodians.

1. Up until November 1987, lack of access to applicants was the single most intractable problem in the border program. At that time, over 1,000 cases were awaiting interviews at the border or in Khao I Dang refugee camp, and the HP/IV program was at a virtual standstill. Since that time, the Thai government has been more responsive to requests for interviews, but the application process is still extraordinarily time-consuming. Indeed, from the time a petition is submitted to the time a final approval or rejection is made, the application process has taken an average of two years to complete. This is far too long, given the dangerous and demoralizing environment in which Cambodians must wait.

Two particular changes in processing procedures could save up to a year or more in delays:

a. The Thai government should allow approved cases to remain in Ban Thai Samart after they are interviewed, rather than returning them to the border or to Khao I Dang. It currently takes anywhere from one week to one year to obtain Thai permission to move approved cases from the border camps to Phanat Nikhom for medical examinations and final processing.

b. The Immigration and Naturalization Service (INS) should agree to receive all HP and IV petitions directly in Bangkok, rather than processing most of them through INS district offices in the United States. Such a procedure, already in place for HP3 applications, could save at least two months.

2. INS should articulate and disseminate clearer guidelines for determining "emergent reasons" in the granting of humanitarian parole status. In HP3 cases, where a family relationship in the United States is either nonexistent or too distant to qualify for an immigrant visa, parole is granted solely "for emergent reasons or for reasons deemed strictly in the public interest," according to the Immigration and Nationality Act. Apart from family reunification criteria, INS is willing to cite only three conditions--extreme age, extreme youth, or serious medical problems that cannot be treated locally--that would warrant sympathetic treatment for humanitarian parole.

3. Voluntary agencies and mutual assistance associations (MAAs) should undertake more extensive outreach work in the United States, ideally with some government support, to promote Cambodian naturalization and citizenship, and to better publicize the HP/IV program. The small number of applications in part reflects a less than adequate outreach effort in the United States.

4. Embassy staff in Bangkok need to establish routine communication with petitioners, relating to the status of HP or IV applications. Monthly statistical reports should be shared with selected private voluntary organizations and individual petitioners.

5. Finally, the HP/IV program for border Cambodians should be accorded a higher priority--particularly on the part of the Administration, but also on the part of voluntary resettlement agencies and MAAs. The lack of refugee benefits for HP/IV beneficiaries should not deter agencies or individuals from a more aggressive use of this program. Working in closer cooperation with the Thai government and with petitioners at home, the U.S. government must demonstrate a greater commitment to preserve migration opportunities for border Cambodians by streamlining procedures, clarifying and publicizing program guidelines, and eliminating any and all unnecessary delays.

Resources

AMNESTY INTERNATIONAL SURVEYS RIGHTS VIOLATIONS WORLDWIDE

An "ugly picture" was unveiled on October 4. On that day, Amnesty International released its annual report of human rights violations in 135 countries. The report shows that during 1987 prisoners of conscience were held in at least 80 countries, that torture or ill-treatment was reported in at least 90, and that more than 120 states have written into their laws the right to execute people. Many countries have also resorted to more covert, but deadly, forms of repression.

"To avoid the threat of public exposure," says the report, "security forces resort to methods of abuse which are hard to document and designed to obscure who is to blame. Clandestine forces step up their work in Chile; so-called 'death squads' composed of police and military operate in plainclothes in El Salvador; government-backed 'vigilante' groups surface in the Philippines; and more and more killing takes place in rural militarized zones in Afghanistan."

Amnesty International points out that the growing refugee population worldwide is a reflection of the failure to stop massive human rights violations. The report says that "growing numbers of people [are] seeking protection not in international documents, but in fleeing to countries that offer them the chance of survival." However, AI notes, "whatever their rhetoric on human rights, many governments are sending people back to places where they face real threats of imprisonment, torture or death."

Amnesty International Report: 1988 is available for $10, plus $1.25 for shipping, from Amnesty International USA, National Office, Publications Department, 322 Eighth Avenue, New York, NY 10001.

DESTINATION OF SOVIET JEWS ANALYZED

The American Jewish Committee, in July, issued a report on the controversy surrounding the destination of Jews emigrating from the Soviet Union.

Soviet Jewish Emigration: The Controversy Over Destination, by David A. Harris, explains the historical context of the "drop-out" phenomenon, by which Soviet Jews with visas to Israel opt to resettle in the United States or other countries after arriving in Vienna, instead of proceeding to Israel. He discusses the varying views on the subject, presenting both the idea that emigrating Jews should be accorded freedom of choice as to their destination, as well as the view that the "drop out" phenomenon weakens Israel, which is heavily dependent on Jewish immigration.

Harris presents the positions of the various governments with respect to the Israeli plan to bypass Vienna with "direct flights" to Israel through Bucharest (see Refugee Reports, Vol. IX, No. 7). He assesses future prospects by discussing the various obstacles to the Israeli effort that could come about by any of the major or minor players.

Harris writes, "The jury is still out on whether the plan will ever effectively be implemented and, if so, if it actually will shift emigration towards Israel."

The 26-page report includes statistics and a chronology. Single copies can be ordered for $3 from the American Jewish Committee, Institute on Human Relations, 165 East 56 St., New York, NY 10022-2746.

Reader Exchange

- Ed Caturla is asking our readers if anyone has submitted to the INS and/or has adjudicated a waiver of excludability pursuant to the provision of section 208, INA, Refugee Act of 1980, (Form I-602), in conjunction with an application for permanent residency under the provision of the Indochinese Adjustment Act PL 95-145 (1977), or the Cuban Adjustment Act PL 89-732 (1966), as jointly amended by section 203(3), of the Refugee Act of 1980. If you can help, please call him at (305) 751-4945 (person-to-person collect calls will be accepted) or send a copy of pertinent information to Caturla & Caturla, 6301 Biscayne Blvd., Suite 202, Miami, FL 33138.

Meetings and Conferences

"Health Care for Displaced Persons and Refugees: An International Symposium" will be held on December 4-7, 1988 at Georgetown University Medical Center in Washington, DC. The symposium, sponsored by several agencies, will bring refugee health providers together with public health experts to address major areas of concern in caring for refugees. For information, write Georgetown University Medical Center--Box 31, 3900 Reservoir Road, NW, Washington, DC 20007.

	Actual Admissions													Estimated	
	1975	1976	1977	1978	1979	1980	1981	1982	1983	1984	1985	1986	1987	Admissions 1988	1989 Ceiling
E. ASIA	135,000	15,000	7,000	20,574	76,521	163,799	131,139	73,522	39,408	51,960	49,970	45,454	40,112	28,000 7,000(ODP)	28,000 25,000(ODP)
E. EUROPE	1,947	1,756	1,755	2,245	3,393	5,025	6,704	10,780	12,083	10,285	9,350	8,713	8,606	27,000	24,500
SOVIET UNION	6,211	7,450	8,191	10,688	24,449	28,444	13,444	2,756	1,409	715	640	787	3,694		
LATIN AMERICA	3,000	3,000	3,000	3,000	7,000	6,662	2,017	602	668	160	138	173	315	2,800	3,500
AFRICA	0	0	0	0	0	955	2,119	3,326	2,648	2,747	1,953	1,315	1,994	1,500	2,000
NEAR EAST/ SOUTH ASIA	0	0	0	0	0	2,231	3,829	6,369	5,465	5,246	5,994	5,998	10,107	9,500	7,000
TOTALS	146,158	27,206	19,946	36,507	111,363	207,116	159,252	97,355	61,681	71,113	68,045	62,440	64,828	75,450	90,000 + 4,000* 94,000

*Admissions ceilings since FY 87 have included an unallocated reserve for "contingent refugee admission needs," to be used only after consultation with Congress, and only to the extent that private sector funding is available to support admissions using the reserve.

Source: U.S. Department of State.

REFUGEE REPORTS is published monthly for $28.00 per year for one subscription, $20.00 each for two or more subscriptions to the same addressee, or $20.00 each for ten or more subscriptions requested at the same time, mailed to separate addresses; overseas postage, $24.00 additional; by ACNS, 95 Madison Avenue, Third Floor, New York, NY 10016. Second Class Postage paid at New York and additional mailing offices. POSTMASTER: send address changes to *Refugee Reports*, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204.

Editorial comments and inquiries should be sent to: *Refugee Reports*, 815 Fifteenth Street NW, Suite 610, Washington, DC 20005. All communications regarding subscriptions should be sent to: Refugee Reports Subscriptions, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204. (615) 377-3322.

Basic subscription rate for 12 issues per year: $28.00; Multiple-copy rate: $20.00; Single copies of back issues: $2.50
Editor: Virginia Hamilton; Staff Writers: Bill Frelick, Court Robinson
Distribution Manager: Carolyn Moore; Production Coordinator: Koula Papanicolas
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Refugee Reports

A News Service of the U.S. Committee for Refugees, a Project of the American Council for Nationalities Service
Sunbelt Fulfillment Services
P.O. Box 41094
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